

AGENDA

Board of Directors Meeting

July 11, 2007

Start Time: 9:30 a.m.

LOCATION

San Bernardino Associated Governments
Santa Fe Depot - SANBAG Lobby 1st Floor
1170 W. 3rd Street, San Bernardino, CA

Board of Directors

President

Lawrence Dale, Mayor,
City of Barstow

Vice-President

Gary Ovitt, Supervisor
County of San Bernardino

Jim Nehmens, Mayor
City of Adelanto

Rick Roelle, Mayor
Town of Apple Valley

Bill Jahn, Mayor
City of Big Bear Lake

Dennis Yates, Mayor
City of Chino

Gwenn Norton-Perry, Mayor
City of Chino Hills

Kelly Chastain, Mayor
City of Colton

Mark Nuaimi, Mayor
City of Fontana

Bea Cortes, Council Member
City of Grand Terrace

Mike Leonard, Mayor Pro Tem
City of Hesperia

Larry McCallon, Council Member
City of Highland

Robert Christman, Mayor
City of Loma Linda

Paul Eaton, Mayor
City of Montclair

Rebecca Valentine, Council Member
City of Needles

Paul Leon, Mayor
City of Ontario

Diane Williams, Mayor Pro Tem
City of Rancho Cucamonga

Patricia Gilbreath, Mayor Pro Tem
City of Redlands

Grace Vargas, Mayor
City of Rialto

Patrick Morris, Mayor
City of San Bernardino

Kevin Cole, Council Member
City of Twentynine Palms

John Pomierski, Mayor
City of Upland

Mike Rothschild, Council Member
City of Victorville

Richard Riddell, Mayor
City of Yucaipa

Chad Mayes, Council Member
Town of Yucca Valley

Brad Mitzelfelt, Supervisor
County of San Bernardino

Paul Biane, Supervisor
County of San Bernardino

Dennis Hansberger, Supervisor
County of San Bernardino

Josie Gonzales, Supervisor
County of San Bernardino

Michael Perovich, Caltrans
Ex-Officio Member

Tony Grasso
Executive Director

San Bernardino Associated Governments (SANBAG) is a council of governments formed in 1973 by joint powers agreement of the cities and the County of San Bernardino. SANBAG is governed by a Board of Directors consisting of a mayor or designated council member from each of the twenty-four cities in San Bernardino County and the five members of the San Bernardino County Board of Supervisors

In addition to SANBAG, the composition of the SANBAG Board of Directors also serves as the governing board for several separate legal entities listed below:

***The San Bernardino County Transportation Commission**, which is responsible for short and long range transportation planning within San Bernardino County, including coordination and approval of all public mass transit service, approval of all capital development projects for public transit and highway projects, and determination of staging and scheduling of construction relative to all transportation improvement projects in the Transportation Improvement Program.*

***The San Bernardino County Transportation Authority**, which is responsible for administration of the voter-approved half-cent transportation transactions and use tax levied in the County of San Bernardino.*

***The Service Authority for Freeway Emergencies**, which is responsible for the administration and operation of a motorist aid system of call boxes on State freeways and highways within San Bernardino County.*

***The Congestion Management Agency**, which analyzes the performance level of the regional transportation system in a manner which ensures consideration of the impacts from new development and promotes air quality through implementation of strategies in the adopted air quality plans.*

***As a Subregional Planning Agency**, SANBAG represents the San Bernardino County subregion and assists the Southern California Association of Governments in carrying out its functions as the metropolitan planning organization. SANBAG performs studies and develops consensus relative to regional growth forecasts, regional transportation plans, and mobile source components of the air quality plans.*

Items which appear on the monthly Board of Directors agenda are subjects of one or more of the listed legal authorities. For ease of understanding and timeliness, the agenda items for all of these entities are consolidated on one agenda. Documents contained in the agenda package are clearly marked with the appropriate legal entity.

**San Bernardino Associated Governments
County Transportation Commission
County Transportation Authority
County Congestion Management Agency
Service Authority for Freeway Emergencies**

Board of Directors

AGENDA

July 11 2007

9:30 a.m.

Location:

**San Bernardino Associated Governments
Santa Fe Depot
SANBAG Lobby, 1st Floor
1170 W. 3rd Street, San Bernardino**

To obtain additional information on any items, please contact the staff person listed under each item. You are encouraged to obtain any clarifying information prior to the meeting to allow the Board to move expeditiously in its deliberations. Additional meeting procedures and agenda explanations are attached to the end of this agenda.

Call to Order - 9:30 a.m. by Supervisor Hansberger

Closed Session

**CONFERENCE WITH LABOR NEGOTIATOR
(GOVERNMENT CODE SECTION 54957.6)**

Conference with labor negotiator Tony Grasso regarding unrepresented employees.

- I Pledge of Allegiance
- II. Attendance
- III. Announcements
 - Seating of New Officers
 - Calendar of Events (Pg. 12)
- IV. Agenda Notices/Modifications – Vicki Watson

1. **Possible Conflict of Interest Issues for the Board Meeting of Pg. 13
July 11, 2007.**

Note agenda item contractors, subcontractors and agents, which may require member abstentions due to conflict of interest and financial interests. Board Member abstentions shall be stated under this item for recordation on the appropriate item.

Notes/Actions:

Consent Calendar

Consent Calendar items shall be adopted by a single vote unless removed by Board member request. Items pulled from the consent calendar will be brought up under Agenda Item 31.

Administrative Matters

2. **Board of Directors Attendance Roster** Pg. 15
3. **Procurement Report for May 2007** Pg. 19
Receive Monthly Procurement Report. **Terrence J. McGuire**
This item was unanimously received by the Administrative Committee on June 13, 2007. (Meeting chaired by Lawrence Dale)
4. **Request for Proposals for Consultant to assist SANBAG with Selection and Implementation of Accounting and Project Management Software** Pg. 21
Note Administrative Committee's approval to release Request for Proposal 08-010 for a Consultant to advise SANBAG in the process of solicitation, evaluation, selection and implementation of a new Accounting and Project Management System. **Terrence J. McGuire**
This item was reviewed by the Administrative Committee on June 13, 2007 and unanimously recommended for approval. (Meeting chaired by Lawrence Dale)
5. **Selection of Broker for SANBAG Insurance Broker Services** Pg. 31
Recommend approval of Hilb, Rogal & Hobbs (HRH) to provide SANBAG Insurance Brokerage Services and authorize staff to negotiate Contract C08003 in a not to exceed amount of \$135,000 in fees (not including insurance premium amounts that are subject to bids) for a three year term and funded as described below in the Financial Impact Section; ISF08. **Terrence J. McGuire**
This item was reviewed by the Administrative Committee on June 13, 2007 and unanimously recommended for approval. (Meeting chaired by Lawrence Dale)

Consent Calendar Continued....

Regional & Quality of Life Programs

6. Southern California Association of Governments Regional Council Membership Pg. 43

1. Approve SANBAG membership, acting as the County Transportation Commission, on the Southern California Association of Governments (SCAG) Regional Council.

2. Appoint Mayor Paul Leon, City of Ontario, to represent SANBAG, as the County Transportation Commission, on the SCAG Regional Council for a two-year term to June 30, 2009.
Deborah Barmack

This item was reviewed by the Administrative Committee on June 13, 2007, and was unanimously recommended for approval. (Meeting chaired by Lawrence Dale)

7. Testimony on Proposed Actions by the California Air Resources Board (CARB), and Goods Movement Control Measures Proposed by SCAG Pg. 45

Receive information on the status of the South Coast Air Quality Management Plan (AQMP), testimony on CARB's proposed Mobile Source State Implementation Plan (SIP), and goods movement control measures proposed by SCAG. **Ty Schuiling**

This item was reviewed by the Plans and Programs Policy Committee on June 20, 2007. (Meeting chaired by Mayor Paul Eaton)

Subregional Transportation Planning & Programming

8. 2007 Measure I Population Estimates for Measure I Allocations Pg. 49

Adopt the 2007 population estimates for use in allocation of Measure I Local Pass-Through Funds. **Ryan Graham**

This item was reviewed by the Mountain Desert Committee on June 15, 2007 and was unanimously recommended for approval. (Meeting chaired by Rick Roelle)

9. Proposition 1B—Local Street and Road Improvement, Congestion Relief and Traffic Safety Account Pg. 57

Status of the Proposition 1B Local Street and Road Improvement, Congestion Relief and Traffic Safety Account. **Ryan Graham**

This item was reviewed by the Mountain Desert Committee on June 15, 2007 (Meeting Chaired by Rick Roelle) and by the Plans and Programs Committee on June 20, 2007 (Meeting chaired by Paul Eaton), and was unanimously recommended for approval.

Consent Calendar Continued....

Subregional Transportation Planning & Programming (Cont.)

10. Contract for Kern County Participation in State Route 58 (SR-58) Origin/Destination Truck Study Pg. 61

1. Approve SANBAG Contract Number R08009 with Kern Council of Governments (COG) in an amount not to exceed \$30,000 for the completion of an Origin/Destination Truck Study on SR-58 between I-5 in Kern County and I-15 in San Bernardino County, as specified in the Financial Impact Section.

2. Approve an amendment to the FY 2007/2008 budget, increasing Task No. 94108000 by \$30,000, as specified in the Financial Impact Section. **Ryan Graham**

This item was reviewed by the Mountain Desert Committee on June 15, 2007 and was unanimously recommended for approval. The attachment has been reviewed and approved by SANBAG Counsel. (Meeting Chaired by Rick Roelle)

11. State Route 58 (SR-58) Origin and Destination Truck Study Request for Proposals Pg. 74

Approve the release of Request for Proposals (RFP) NO. 08014 for Development of the SR-58 Origin and Destination Truck Study. **Ryan Graham**

This item was reviewed by the Mountain Desert Committee on June 15, 2007, and was unanimously recommended for approval. (Meeting Chaired by Rick Roelle) This item has been reviewed by SANBAG Council as to form. The Request for Proposals was developed in cooperation with Caltrans and Kern COG.

Program Support/Council of Govts.

12. Legislative Update. Pg. 76

1. Review existing SANBAG bill positions
2. Adopt the following bill positions:
 - a. Support AB 945 (Carter)
 - b. Oppose SB 375 (Steinberg)
 - c. Support SB 1028 (Padilla)

Jennifer Franco

This item was reviewed by the Administrative Committee on June 13, 2007 and was recommended for approval. (Meeting Chaired by Lawrence Dale)

13. Federal Appropriations Update Pg. 132

Receive report and file. **Jennifer Franco**

This item has had no prior policy committee review.

Consent Calendar Continued....Project Development

14. **Appointment of Jim Beers, Registered Civil Engineer, a Fluor contract employee, to serve as SANBAG's Agency Engineer as required for federal funding applications** Pg. 134

Appoint Jim Beers, Registered Civil Engineer, a Fluor contract employee, to serve as SANBAG's Agency Engineer for purposes related to the requirement of federal funding applications. This item imposes no financial impact. **Darren Kettle**

This item was reviewed and unanimously recommended for approval by the Major Projects Committee on June 14, 2007. (Meeting chaired by John Pomierski)

15. **Approve Contract No. 08-008 with Parsons Transportation Group for Interstate 10 High Occupancy Vehicle (HOV) Lane Project Development Activities** Pg. 136

Approve Contract No. 08-008 with Parsons Transportation Group for Interstate 10 HOV Lane Project Development Activities in an amount not to exceed \$10,500,000 as described in the financial impact section below. **Darren Kettle**

This item was reviewed and unanimously recommended for approval by the Major Projects Committee on June 14, 2007. (Meeting chaired by John Pomierski)

16. **Approve Contract No. C08011 with HDR for Colton Crossing BNSF/UPRR Railroad Grade Separation Project Development Consultant Services** Pg. 195

Approve Contract No. C08011 with HDR for Project Development Consultant Services for the Colton Crossing BNSF/UPRR railroad grade separation project in an amount not to exceed \$3,689,000 as described in the financial impact section below. **Darren Kettle**

This item was reviewed and recommended for approval 10-0-2 (Chastain and Nuaimi abstained), by the Major Projects Committee on June 14, 2007. (Meeting chaired by John Pomierski)

Consent Calendar Continued....

Project Development (Cont.)

17. **Approve Contract No. 08-013 with LAN Engineering for Interstate 15/ Interstate 215 Devore Interchange Project Development Consultant Services** Pg. 242

Approve Contract No. 08-013 with LAN Engineering for Interstate 15/ Interstate 215 Devore Interchange Project Development Consultant Services in an amount not to exceed \$7,074,884 as described in the financial impact section below. **Darren Kettle**

This item was reviewed and recommended for approval 11-0-1 (Nuaimi abstained), by the Major Projects Committee on June 14, 2007. (Meeting chaired by John Pomierski)

18. **Candidate Railroad Grade Separation Projects for Project Development Funding** Pg. 261

Information on San Bernardino Valley railroad grade separation projects that will undergo evaluation for project development funding. **Steve Smith**

This was reviewed by the Plans and Programs Committee on June 20, 2007. (Meeting chaired by Mayor Paul Eaton)

19. **Live Oak Canyon/Interstate 10 Interchange Final Design and Construction Support Contracts with URS Corporation** Pg. 265

1. Approve Amendment No. 7 to contract no. 01-061 with URS Corporation for final design services for the Live Oak Canyon/Interstate 10 Interchange in the amount of \$49,992 as described below in the Financial Impact Section, and

2. Approve Contract No. 08-012 with URS Corporation to provide construction engineering support for the Live Oak Canyon Interstate 10 Interchange in the amount of \$100,490 as described below in the Financial Impact Section. **Darren Kettle**

This item was reviewed and unanimously recommended for approval by the Major Projects Committee on June 14, 2007. (Meeting chaired by John Pomierski)

Consent Calendar Continued....

Project Development (Cont.)

20. **Amendment No. 5 to Purchase Order 0432 with P&D Consultants for construction management services for the State Route 71 Landscape Project** Pg. 278

1. Approve Amendment No. 5 to Purchase Order No. 0432 with P&D Consultants increasing the amount by \$35,000 to provide Construction Management Services for Route 71 Landscaping completion project, and

2. Amend the SANBAG 2007/08 Budget increasing expenditures and revenues in Task Number 81808000 in the amount of \$35,000 as detailed in the Financial Impact Section. Funding sources is Measure I Valley Major Projects. **Darren Kettle**

This item was reviewed and unanimously recommended for approval by the Major Projects Committee on June 14, 2007. (Meeting chaired by John Pomierski)

Transportation Programs & Fund Administration

21. **Quarterly Administrative Report on SANBAG Federal Funding Programs** Pg. 281

- 1) Receive report on quarterly reporting and obligation status.
2) Adopt a finding of compliance with obligation requirements for all affected agencies. **Ty Schuiling**

This item was reviewed and unanimously recommended for approval by the Plans and Programs Policy Committee on June 20, 2007. (Meeting chaired by Mayor Paul Eaton)

22. **Fiscal Year 2007/2008 Transportation Development Act (TDA) Unmet Transit Needs Public Hearings** Pg. 287

1. Adopt Definitions of "Unmet Transit Needs" and "Reasonable to Meet" as identified in Attachment A.
2. Set times, dates and locations for the TDA Unmet Needs Public Hearings. **Mike Bair**

This item was reviewed by the Administrative Committee on June 13, 2007 and unanimously recommended for approval. (Meeting chaired by Lawrence Dale)

Consent Calendar Continued....

Transportation Programs & Fund Administration (Cont.)

23. **Allocation of Local Transportation Funds (LTF) and State Transit Assistance Funds (STAF) for Fiscal Year 2007/2008** Pg. 291

Adopt Resolution 08-001 authorizing the allocation of Local Transportation Funds (LTF) and State Transit Assistance Funds (STAF) for Fiscal Year 2007/2008. **Mike Bair**

This item was reviewed by the Administrative Committee on June 13, 2007 and unanimously recommended for approval. (Meeting chaired by Lawrence Dale.)

24. **Transportation Development Act (TDA) Claimant and Measure I Pass-Through Recipient Audit Services** Pg. 295

Approve and authorize the Executive Director to sign Amendment No. 4 to Contract 06-008, (Letter of Engagement) in the amount of \$145,810 with Miers and Miers, CPA to audit the TDA Claimants and Measure I Pass-Through Recipients for the fiscal year ending June 30, 2007. **Victoria Baker**

This item was reviewed by the Administrative Committee on June 13, 2007 and unanimously recommended for approval, with the suggestion that a Request for Proposal (RFP) be released for subsequent auditing services. (Meeting chaired by Lawrence Dale.)

DISCUSSION ITEMS

Administrative Matters

25. **Position Equity Adjustments and Reclassifications** Pg. 303

Approve equity adjustments and reclassifications for specified positions. **Tony Grasso**

This item has been under consideration by the SANBAG Administrative Committee.

Program Support/Council of Governments

26. **Federal Update by Steve Palmer and Pat Holtz** Pg. 304

Receive Report. **Jennifer Franco**

This item has had no prior policy committee review.

Discussion Items Continued....

Regional & Quality of Life Programs

27. Trade Corridor Improvement Fund Update Pg. 305

Receive report. Tony Grasso

This item was reviewed by the Plans and Programs Policy Committee on June 20, 2007. *(Meeting chaired by Mayor Paul Eaton)*

28. Continuing Cooperative Agreement No. 07-019-S1, (SANBAG Contract No. C08-015) with the Southern California Association of Governments (SCAG) for Management of Federal Metropolitan Planning (OWP) Funds. Pg. 307

Approve SANBAG Contract C08-015, Continuing Cooperative Agreement (SCAG No. 07-019-S1), with SCAG to address use of SCAG Overall Work Program (OWP) funding of the RivSan Transportation Model Improvement Program, the San Bernardino County 2% Compass Implementation Project, and studies of logistics industry warehousing and intermodal facility capacity, demand, and siting in the amount of \$500,000, and in-kind match totaling \$39,516 for a total of \$539,516. Ty Schuiling

This item was unavailable for previous policy committee review and is presented directly to the Board because of the time-sensitivity of consultant procurement. Legal Counsel has reviewed the agreement.

Project Development

29. Award Construction Contract No. C07174 to Riverside Construction for Live Oak Canyon/Interstate 10 Interchange Pg. 317

Award Contract No. C07174 to Riverside Construction for the Live Oak Canyon/Interstate 10 Interchange in the amount of \$11,889,620 as described in the financial impact section below. Darren Kettle

This item has not received prior policy committee review beyond being authorized to proceed directly to Board for contract award by the Major Projects Committee on June 14, 2007. *(Meeting Chaired by John Pomierski)*

Transportation Programs & Fund Administration

30. Local Transportation Fund (LTF) Interim Transit Allocations Pg. 332

Approve the Interim Allocation of LTF Article 4 Operating funds to the Morongo Basin Transit Authority (MBTA) and the Mountain Area Regional Transit Authority (MARTA) and of LTF Article 8c Operating funds to the Cities of Barstow and Needles and the Victor Valley Transit Authority (VVTA). Victoria Baker

This item has not been reviewed by a SANBAG policy committee; however, it is viewed as ministerial in nature.

Other Matters

31. Consent Calendar Items Pulled for Discussion

Items pulled from the consent calendar shall be taken under this item in the order they were presented on the calendar.

Comments from Board Members

Brief Comments from Board of Directors

Public Comment

Brief Comments by the General Public

ADJOURNMENT

Additional Information

Agency Reports/Committee Memberships

Commuter Rail Report Pg. 334

Mayor Pro Tem Patricia Gilbreath

South Coast Air Quality Management Report Pg. 337

Mayor Dennis Yates

Mobile Source Air Pollution Reduction Review Committee (MSRC)
(No Report This Month)

Mayor Gwenn Norton-Perry

SCAG Committees Pg. 340

SCAG Regional Council

SCAG Policy Committees

Community, Economic and Human Development

Energy and Environment

Transportation and Communications

SANBAG Policy Committees Pg. 341

Acronym List Pg. 344

Complete packages of this agenda are available for public review at the SANBAG offices and our website: www.sanbag.ca.gov. Staff reports for items may be made available upon request. For additional information call (909) 884-8276.

Meeting Procedures and Rules of Conduct

Meeting Procedures

The Ralph M. Brown Act is the state law which guarantees the public's right to attend and participate in meetings of local legislative bodies. These rules have been adopted by the Board of Directors in accordance with the Brown Act, Government Code 54950 et seq., and shall apply at all meetings of the Board of Directors and Policy Committees.

Accessibility

The SANBAG meeting facility is accessible to persons with disabilities. If assistive listening devices or other auxiliary aids or services are needed in order to participate in the public meeting, requests should be made through the Clerk of the Board at least three (3) business days prior to the Board meeting. The Clerk's telephone number is (909) 884-8276 and office is located at 1170 W. 3rd Street, 2nd Floor, San Bernardino, CA.

Agendas – All agendas are posted at 1170 W. 3rd Street, 2nd Floor, San Bernardino at least 72 hours in advance of the meeting. Complete packages of this agenda are available for public review at the SANBAG offices and our website: www.sanbag.ca.gov. Staff reports for items may be made available upon request. For additional information call (909) 884-8276.

Agenda Actions – Items listed on both the "Consent Calendar" and "Items for Discussion" contain suggested actions. The Board of Directors will generally consider items in the order listed on the agenda. However, items may be considered in any order. New agenda items can be added and action taken by two-thirds vote of the Board of Directors.

Closed Session Agenda Items – Consideration of closed session items *excludes* members of the public. These items include issues related to personnel, pending litigation, labor negotiations and real estate negotiations. Prior to each closed session, the Chair will announce the subject matter of the closed session. If action is taken in closed session, the Chair may report the action to the public at the conclusion of the closed session.

Public Testimony on an Item – Members of the public are afforded an opportunity to speak on any listed item. Individuals wishing to address the Board of Directors or Policy Committee Members should complete a "Request to Speak" form, provided at the rear of the meeting room, and present it to the SANBAG Clerk prior to the Board's consideration of the item. A "Request to Speak" form must be completed for *each* item when an individual wishes to speak on. When recognized by the Chair, speakers should be prepared to step forward and announce their name and address for the record. In the interest of facilitating the business of the Board, speakers are limited to three (3) minutes on each item. Additionally, a twelve (12) minute limitation is established for the total amount of time any one individual may address the Board at any one meeting. The Chair or a majority of the Board may establish a different time limit as appropriate, and parties to agenda items shall not be subject to the time limitations.

The Consent Calendar is considered a single item, thus the three (3) minute rule applies. Consent Calendar items can be pulled at Board member request and will be brought up individually at the specified time in the agenda allowing further public comment on those items.

Agenda Times – The Board is concerned that discussion take place in a timely and efficient manner. Agendas may be prepared with estimated times for categorical areas and certain topics to be discussed. These times may vary according to the length of presentation and amount of resulting discussion on agenda items.

Public Comment – At the end of the agenda, an opportunity is also provided for members of the public to speak on any subject within the Board's authority. *Matters raised under "Public Comment" may not be acted upon at that meeting. The time limits established in "Public Testimony on any Item" still apply.*

Disruptive Conduct – If any meeting of the Board is willfully disrupted by a person or by a group of persons so as to render the orderly conduct of the meeting impossible, the Chair may recess the meeting or order the person, group or groups of person willfully disrupting the meeting to leave the meeting or to be removed from the meeting. Disruptive conduct includes addressing the Board without first being recognized, not addressing the subject before the Board, repetitiously addressing the same subject, failing to relinquish the podium when requested to do so, or otherwise preventing the Board from conducting its meeting in an orderly manner. *Please be aware that a NO SMOKING policy has been established for meetings. Your cooperation is appreciated!*



Important Things to Know for ... July 2007

SANBAG Meetings – Cancelled:

Major Projects Committee

Plans and Programs Committee

SANBAG Meetings – Scheduled:

Administrative Committee	July 18	1 p.m.	The Super Chief
Commuter Rail Committee	July 19	Noon	The Super Chief
Mountain-Desert Committee	July 20	9 a.m.	Town of Apple Valley
SCRRA Delegates Briefing	July 25	8:30 a.m.	Casa Del Desierto

Other Meetings:

None			
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For additional information, please contact SANBAG at (909) 884-8276

Your Travel Tip for June

Summer is the time of year for vacation travels and San Bernardino Associated Governments wants you to be safe. If driving, be sure to service your car before you leave, get updated maps of your destination, check www.CommuteSmart.info for traffic and travel conditions, pack snacks and plenty of water and be sure to stop to rest along the way.



- San Bernardino County Transportation Commission ■ San Bernardino County Transportation Authority
- San Bernardino County Congestion Management Agency ■ Service Authority for Freeway Emergencies

Minute Action

AGENDA ITEM 1

Date: July 11, 2007

Subject: Information Relative to Possible Conflict of Interest

Recommendation*: Note agenda items and contractors/subcontractors, which may require member abstentions due to possible conflicts of interest.

Background: In accordance with California Government Code 84308, members of the SANBAG Board may not participate in any action concerning a contract where they have received a campaign contribution of more than \$250 in the prior twelve months from an entity or individual, except for the initial award of a competitively bid public works contract. This agenda contains recommendations for action relative to the following contractors:

Item No.	Contract No.	Principals & Agents	Subcontractors
5	C08003	Hilb, Rogal & Hobbs <i>Alexis Subee Fishman</i>	None
15	08-008	Parsons Transportation Group <i>David Speirs</i>	David Evans and Associates, Inc. Kimley Horn and Associates, Inc. Paragon Partners Ltd. Earth Mechanics, Inc. Applied Earthworks, Inc. Arrellano Associates Michael Brandman Assoc.

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*Approved
Board of Directors*

Date: July 11, 2007

Moved: Second:

In Favor: Opposed: Abstained:

Witnessed: _____

Item No.	Contract No.	Principals & Agents	Subcontractors
16	08-011	HDR <i>Tom Kim</i>	JL Patterson & Assoc. ATS Consulting CHJ Inc. David Evans and Assoc. Inc. Huitt-Zollars LSA Assoc. Inc. Meyer Mohaddes Assoc. Inc. Paragon Partners Tatsumi & Partners Westbound Communications
17	08-013	LAN Engineering <i>William Nascimento</i>	LSA – Environmental Arellano & Assoc. – Public Outreach Associated Engineers – Surveying Meyer, Mohaddes Assoc. – Traffic Earth Mechanics – Geotechnical
19	01-061-07	URS Corporation <i>Shannon Willits</i>	Tatsumi and Partners
19	08-012	URS Corporation <i>Shannon Willits</i>	CH2MHILL
20	PO-0432	P& D Consultants <i>Harry Clarke</i>	None
24	06-008-4	Miers & Miers <i>Jeff Miers</i>	None
29	C07174	Riverside Construction Company, Inc. <i>Matt Pimm</i>	Matich Corporation Foundation Tile, Inc. Alcorn Fence Co. High Light Electric, Inc. CTM American Steel Placer A-Bar Construction Sudhakar Company International Harber Company

Financial Impact: This item has no direct impact on the SANBAG budget.

Reviewed By: This item is prepared monthly for review by SANBAG Board and Committee members.

BOARD OF DIRECTORS ATTENDANCE RECORD - 2007

Name	Jan	Feb	March	April	May	May 9 th Special Board Mtg	June	July	Aug	Sept	Oct	Nov	Dec
Gary Ovitt Board of Supervisors	X	X		X	X		X						
Brad Mitzelfelt Board of Supervisors	X	X			X		X						
Paul Biane Board of Supervisors	X	X		X	X	X	X						
Dennis Hansberger Board of Supervisors	X	X	X	X	X	X	X						
Josie Gonzales Board of Supervisors		X	X		X	X	X						
Jim Nehmens City of Adelanto	X	X	X	X	X		X						
Rick Roelle Town of Apple Valley	X	X	X	X	X	X	X						
Lawrence Dale City of Barstow	X	X	X		X	X	X						
Bill Jahn City of Big Bear Lake		X	X	X	X	X	X						
Dennis Yates City of Chino	X	X	X	X	X	X	X						
Gwenn Norton-Perry City of Chino Hills			X	X	X	X							
Kelly Chastain City of Colton	X	X	X	X		X	X						
Mark Nuaimi City of Fontana	X	X	X	X	X	X	X						
Bea Cortes City of Grand Terrace	X	X	X	X	X	X	X						
Mike Leonard City of Hesperia		X	X		X	X	X						

X = member attended meeting.

* = alternate member attended meeting. Empty box = Did not attend meeting. Crossed out box = not a Board Member at the time.

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BOARD OF DIRECTORS ATTENDANCE RECORD - 2007

Name	Jan	Feb	March	April	May	May 9 th Special Board Mtg	June	July	Aug	Sept	Oct	Nov	Dec
Larry McCallon City of Highland	X	X	X	*	X	X	X						
Robert Christman City of Loma Linda	X	X	X	X	X	X	X						
Paul Eaton City of Montclair	X	X	X	X	X	X	*						
Rebecca Valentine City of Needles		X	X	X	X	X	X						
Paul Leon City of Ontario	X	X	X	X	X	X							
Diane Williams City of Rancho Cucamonga	X	X	X	X	X	X	X						
Pat Gilbreath City of Redlands	X	X	X	X	X	X	X						
Grace Vargas City of Rialto	X	X	X	*	X	X	X						
Patrick Morris City of San Bernardino	X	X	X	X	X	X	X						
Kevin Cole City of Twentynine Palms	X	X	X			X	X						
John Pomierski City of Upland	X	X			X		X						
Mike Rothschild City of Victorville	X	X	X	X	*	*	X						
Dick Riddell City of Yucaipa	X	X		X	X		X						
Chad Mayes Town of Yucca Valley	*		X	X	X		X						
Michael Perovich Ex-Official Member	X	X	X	X	X	Paul Engstrom	X						

X = member attended meeting. * = alternate member attended meeting. Empty box = Did not attend meeting. Crossed out box = not a Board Member at the time.

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BOARD OF DIRECTORS ATTENDANCE ROSTER - 2006

Name	Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec
Gary Oviatt			X	X	X	X	X	X	X	X	X	
Bill Postmus			X		X			X				
Paul Biane	X	X	X			X			X		X	X
Dennis Hansberger	X	X	X	X	X	X	X	X	X	X	X	X
Josie Gonzales	X	X	X	X		X		X	X			
Jim Nehmens	X	X	X		X	X		X	X	X	X	X
Rick Roelle	X	X	X	X	X	X	X	X	X	X	X	X
Lawrence E. Dale	X	X	X		X	X	X	X	X	X		X
Darrell Mulvihill	X	X				X		X	X			
Dennis Yates	X	X	X	X	X	X	X	X	X	X	X	
Gwenn Norton-Perry	X		*	X	*	X	X	X	X	*	X	
Deirdre Bennett	X	X	X	X	X	X	X	X	X	X		
Kelly Chastain	X	X	X	X	X	X	X	X	X	X	X	X
Mark Nuaimi	X	X	X	X	X	X	X	X	X	X	X	X
Bea Cortes	X	X	X	X	X	X	X	X	X	X	X	X
James Lindley	X	X	X	X	X	X	X	X	X	X	X	X
Larry McCallon	X	X	X	X	X	X	X	X	X	X	X	X

X - indicates member attended meeting. * - indicates alternate member attended meeting. Crossed out box indicates member is not a Board Member.

BOARD OF DIRECTORS ATTENDANCE ROSTER – 2006

Name	Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec
Robert Christman	X	X	X	X	X	X	X	X	X	X	X	X
Paul Eaton	X	X	X	*	X	X	X	X	X	X	X	
Rebecca Valentine	X	X	X	X	X	X	X	X	X	X	X	X
Alan Wapner	X	X	X		X	X	X	X	X	X	X	
Diane Williams	X	X	X	X	X	X	X	X	X	X		X
Pat Gilbreath	X	X	X	X	X		X	X	X	X	X	X
Grace Vargas	X	X	X	X		X	X	X	X	X	X	X
Judith Valles	X	X	X	X	X	X	X	X	X	X	X	X
Patrick Morris	X	X	X	X	X	X	X	X	X	X	X	X
Kevin Cole	X	X	X			X	X		X			X
John Pomierski	X		X	X	X	X		X	X			X
Mike Rothschild	X	X	X	X	X	X	X	X	X	X	X	X
Dick Riddell	X	X	X	X	X	X	X	X	X	X	X	X
Paul Cook	X	X	X	X	X	X	*	X	X	X	X	*
Michael Perovich EX-Official Member	X	*	X	*	X	X	X	*	X	X	X	X

X - indicates member attended meeting. * - indicates alternate member attended meeting. Crossed out box indicates member is not a Board Member.

- San Bernardino County Transportation Commission ■ San Bernardino County Transportation Authority
■ San Bernardino County Congestion Management Agency ■ Service Authority for Freeway Emergencies

Minute Action

AGENDA ITEM: 3

Date: July 11, 2007

Subject: Procurement Report for May 2007

Recommendation: * Receive Monthly Procurement Report.

Background: The Board of Directors approved the Contracting and Procurement Policy (Policy No. 11000) on January 3, 1997. The Executive Director, or his designee, is authorized to approve Purchase Orders up to an amount of \$25,000. All procurements for supplies and services approved by the Executive Director, or his designee, in excess of \$5,000 shall be routinely reported to the Administrative Committee and to the Board of Directors.

Attached are the purchase orders in excess of \$5,000 to be reported to the Board of Directors for the month of May 2007.

Financial Impact: This item imposes no impact on the FY 2007/2008 Budget. Presentation of the monthly procurement report will demonstrate compliance with the Contracting and Procurement Policy (Policy No. 11000).

Reviewed By: This item was unanimously received by the Administrative Committee on June 13, 2007. (*Meeting chaired by Lawrence Dale*)

Responsible Staff: Terrence J. McGuire, Chief Financial Officer

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ISF08

*Approved
Board of Directors*

Date: _____

Moved: _____ *Second:* _____

In Favor: _____ *Opposed:* _____ *Abstained:* _____

Witnessed: _____

PURCHASE ORDERS ISSUED FOR MAY 2007

P.O. #	Vendor	Purpose	Sole Source Y/N	Amount
07239	LOCARTA Technologies, Inc.	FSP AVL Modems and Software	N	\$11,815.20
07243	Counts Unlimited, Inc.	Traffic counts on I-210 before opening to public	Y	11,520.00
07245	TH Enterprises, Inc.	Microsoft Project 2007	N	8,082.25
		TOTAL PURCHASE ORDERS ISSUED		\$31,417.45

- San Bernardino County Transportation Commission ■ San Bernardino County Transportation Authority
■ San Bernardino County Congestion Management Agency ■ Service Authority for Freeway Emergencies

Minute Action

AGENDA ITEM: 4

Date: July 11, 2007

Subject: Request for Proposals for Consultant to assist SANBAG with Selection and Implementation of Accounting and Project Management Software

Recommendation:* Note Administrative Committee's approval to release Request for Proposal 08-010 for a Consultant to advise SANBAG in the process of solicitation, evaluation, selection and implementation of a new Accounting and Project Management System.

Background: SANBAG has utilized the Regional Council Management System (RCMS) software package since the passage of Measure I in 1990. Since that time, the variety of funding sources and complexity of financial accounting requirements at SANBAG has grown significantly. In November 2002, SANBAG engaged the services of the Government Finance Officers Association to perform an assessment of SANBAG's financial management software needs. The study concluded that SANBAG should engage in a process of re-implementation of RCMS, which would evaluate how the system was used and how to fully utilize all available aspects of the software which may not have been fully employed in the original SANBAG implementation.

During the past two years, SANBAG has worked with TH Enterprises in a reimplementation process, much of which was implemented in the FY 2006/2007 budget. SANBAG has also continued to work with TH Enterprises and the RCMS Users Group to implement and evaluate software modifications which would serve to improve its utility to SANBAG. While some improvements have

*

Approved
Board of Directors

Date: _____

Moved:

Second:

In Favor:

Opposed:

Abstained:

Witnessed: _____

resulted from these efforts, it is apparent that RCMS will not meet SANBAG needs in the near future nor will it meet the future implementation of requirements of Measure I 2010.

This item seeks approval to release a Request for Proposals for consultant services to assist SANBAG in the formal process of solicitation, evaluation, selection and implementation of other available software products. This action is consistent with the recommendations of the GFOA study, which recommended re-evaluation of RCMS, prior to making the substantial investment required to move to another financial management system.

Financial Impact: There will be an estimated \$100-\$200,000 impact on the Fiscal Year 2007/2008 budget and future year budgets. A budget amendment involving a new Task will be submitted to the Administrative Committee at the July meeting if this agenda item is approved.

Reviewed By: This item was reviewed by the Administrative Committee on June 13, 2007 and unanimously recommended for approval. (*Meeting chaired by Lawrence Dale*)

Responsible Staff: Terrence J. McGuire, Chief Financial Officer

**San Bernardino Associated Governments
Request for Proposal No. 08-010 for
Information Technology Consultant Services
for
Project Management and Accounting Information System**

This Request for Proposal (RFP) describes San Bernardino Associated Governments (SANBAG) need for Information Technology (IT) consultant services. It is organized into the following sections:

- I. Introduction
- II. Purpose of the Request
- III. Evaluation Process
- IV. Selection Timetable
- V. Scope of Service
- VI. Format for Proposals
- VII. Award of the Contract

I. Introduction

A. General Information

San Bernardino Associated Governments is the council of governments and transportation planning agency governed by the mayors of twenty-four cities and the five San Bernardino County Supervisors. SANBAG serves the 1.9 million residents of San Bernardino County. Membership includes the County of San Bernardino and all cities within the County: Adelanto, Barstow, Big Bear Lake, Chino, Chino Hills, Colton, Fontana, Grand Terrace, Hesperia, Highland, Loma Linda, Montclair, Needles, Ontario, Rancho Cucamonga, Redlands, Rialto, San Bernardino, Twentynine Palms, Upland, Victorville, Yucaipa, and the Towns of Apple Valley and Yucca Valley.

Since its creation as a council of governments in 1973, SANBAG has been designated to serve as several additional authorities, created primarily by statute, which are all organized under the umbrella of the council of governments. These authorities are listed below:

- As the **County Transportation Commission**, SANBAG is responsible for short and long range transportation planning within San Bernardino County, including coordination and approval of all public mass transit service, approval of all capital projects for mass transit and highway projects, and determination of staging such

projects in the Transportation Improvement Program. As the designated transportation planning agency for San Bernardino County, SANBAG administers Local Transportation and State Transit Assistance Funds.

- As the **Service Authority for Freeway Emergencies**, SANBAG operates a system of approximately 1,600 call boxes on state freeways and highways within San Bernardino County.
- As the **County Transportation Authority**, SANBAG is responsible for the administration of the voter-approved half cent transportation transactions and use tax which will raise over \$1.8 billion through 2010 for funding of major freeway construction, commuter rail service, local street and road improvements, special transit service for the elderly and disabled population, and traffic management and environmental enhancement efforts.
- As the **Congestion Management Agency**, SANBAG monitors the performance level of the regional transportation system in a manner which ensures consideration of the impacts of new development on the system and promotes air quality through implementation of strategies in the adopted air quality plans.
- As a **Sub-regional Planning Agency**, SANBAG represents the San Bernardino County area with the Southern California Association of Governments in carrying out its functions as the metropolitan planning organization. SANBAG performs studies and develops consensus relative to input into regional growth forecasts, regional transportation plans, and mobile source components of the air quality plans.

II. Purpose of the Request

A. General Statement

SANBAG's revenues derived from Sales Tax are approximately \$150 million/year. SANBAG also receives and administers approximately \$160 million/year of other funds from various federal and state funding sources. SANBAG administers a complex budget divided into programs that are further subdivided into major jobs or tasks. Each task may have from one to ten contracts for services or construction that are associated with the individual task. The project management and accounting information system must function within this complex funding and contractual environment and produce fund based accounting information that will facilitate the financial reporting in accordance with the Government Accounting Standards Board.

SANBAG is interested in identifying the best system that can satisfy the project and financial management and information requirements of the agency and is priced in the low to mid price range for such systems (\$300-\$500,000).

SANBAG is requesting proposals from qualified firms of IT professionals to advise SANBAG on all phases of selection and implementation of a new project management and financial/accounting information system. SANBAG would like to select and implement a new system as soon as possible. The new Measure I sales tax extension commences on April 1, 2010. **It is highly desirable to implement a new system by July 1, 2009 or earlier.**

B. Terms and Conditions

Proposals are requested for an approximate three year period starting with the date of hire through 6 months after initial implementation. In addition, SANBAG shall have the option to extend the engagement for up to two (2) additional years, one year at a time. The option years shall be exercised by written amendments executed by the parties.

Responses to this RFP become the exclusive property of SANBAG. At such time as firms are selected and their names made public, all proposals submitted shall be regarded as public records.

The Agency considers its relationship with the consultant hired for this contract to be a professional one. Although this is a formal selection process, the Agency reserves the right to decline acceptance of any and all proposals, to negotiate engagement conditions with the selected firm and to waive provisions of the RFP at its sole discretion.

C. Subcontracting

No Subcontracting will be allowed without prior written consent from SANBAG.

III. Evaluation Process

A. General Description

Firms are requested to respond to this solicitation in the manner more fully described in Section VI below. Authority and local Agency staff will review and evaluate the responses received against the evaluation criteria listed below.

The proposals will be reviewed and selected firms will be short listed, interviewed and the final recommendation will be presented to the Administrative Committee and approved by the Board of Directors.

B. Evaluation Criteria

1. Qualification and experience of the firm. This will be evaluated based on the breadth and depth of the firm's experience as a whole in the performance of comparable IT assignments.
2. Qualification and experience of the individuals assigned to perform the work. This will be based on the resumes of the individuals who will actually oversee and perform the work, especially those senior staff committed to participation in the work.
3. Organization of the work and management plan. This will be based on the proposed approach to organizing, managing, and implementing the necessary tasks and the ability of the firm to complete the assignment in a timely manner.
4. Demonstrated understanding of the Agency's needs and proposed method of approach. This will be based on the preliminary description of the proposed approach to providing the required scope of services. This will give credit to firms who demonstrate insight, needed emphasis, priority, innovative thinking and ability to function as an integral member of SANBAG's management team.
5. References for comparable past work. This will be based on references from several clients where comparable work was performed.
6. Cost. Cost will be a significant factor when other evaluation criteria are relatively equal. Fees could be fixed based upon phases of the Work Plan or on an hourly basis.
7. Actual or Potential Conflict of Interest. This will be based on an assessment of the firm's client list and the extent to which the firm may represent related entities whose interest may conflict with SANBAG. Formal or informal relationships with specific vendors must also be disclosed.

IV. Selection Timetable

The following timetable will apply to this RFP.

<u>Item</u>	<u>Date(s)</u>
Release RFP	June 13, 2007
Proposals Due - 3:00 p.m.	July 9, 2007
Determination of Short List	July 10 – July 13, 2007
Interviews	July 26 – July 27, 2007
Recommendation to the Administrative Committee	August 8, 2007
Admin Committee recommendation to the Board of Directors	September 5, 2007

V. Scope of Services

A. Services to be provided by the Consultant include:

1. Review the existing RCMS system to understand the technical characteristics and functions of the system.
2. Interview staff to understand strengths and weaknesses of the existing system and to develop requirements and criteria for a new system.
3. Develop a final schedule for the RFP, evaluation, selection and implementation process for the new system.
4. Advise and assist SANBAG staff in developing an RFP and list of vendors for receipt of the new RFP.
5. Advise and assist SANBAG in the evaluation of vendor RFPs.
6. Be available to participate, if necessary, in software demonstrations.
7. Advise and assist SANBAG in the implementation of the new system.

VI. Format for Proposals

A. General

The cost of preparing, submitting and presenting a proposal is at the sole cost and expense of the offeror.

B. Instructions

1. The offeror should prepare its proposal using the order and designations as presented in the Scope of Proposals below.
2. The offeror shall submit five (5) copies of its proposal to:
Mr. Terrence J. McGuire
Chief Financial Officer
San Bernardino Associated Governments
1170 W. 3rd Street, 2nd Floor
San Bernardino, CA 92410
3. Proposals must be received at the above address no later than 3:00 p.m. on July 9 2007. Faxes, late submissions, or proposal modifications will not be accepted after the closing date.
4. Any inquiries concerning the RFP should be made to Terry J. McGuire, Chief Financial Officer, (909) 884-8276, ext.124.
5. No contacts of any kind shall be made with Board members, their staffs, or SANBAG staff other than as provided above. It is intended that the selection shall be made on merit alone within the process set forth. Violation of this condition shall be cause for immediate rejection of the proposal.

C. Scope of Proposal

You must provide the following information and your proposal should be concise and responsive. It should be no longer than 30 pages in length.

1. Title Page

Show the Request for Proposal subject, the name of your firm, local address and telephone number, name of contact person and date of the proposal.
2. Table of Contents

Clearly identify the material by section and page number.
3. Letter of Transmittal - Limit to one or two pages
 - a. Briefly state your firm's understanding of the work to be done, a comment on the firm's ability to make a commitment to perform the

work in a timely manner and a statement as to why the firm believes to be best qualified to perform the engagement.

- b. Give the names of the persons who will be authorized to make representations for your firm, their titles, addresses and telephone numbers.

4. Profile of the Organization, Technical Qualifications and Approach

- a. Provide a description of firm or firms proposed to perform the services. State the size of the firm, the size of the firm's staff, and the location of the office from which the work on this engagement is to be performed.
- b. Indicate the number of personnel (by level) located within the proposing office that will perform the services.
- c. Provide a list of five most relevant and recent prior government consulting assignments, including telephone number and contact person's name. Describe the types of services performed for those clients.
- d. Describe your approach to the provision of services. This should include at least the following points:

5. Summary of Individual Staff Technical Qualifications

Identify the managers and staff who will participate in the provision of services, including staff other than from the proposing office. Include resumes for each person to be assigned. Identify the percentage of time key members will work on the contract. Be sure to include information on the government project management and financial/accounting information system experience of each person, including any relevant continuing professional education and/or membership in professional organizations as they pertain to this contract.

6. Fee Proposal

The fee proposal shall contain cost information for each area of work as defined in Section V and shall include the method by which the fees will be increased (i.e. CPI) during the term of the engagement. Please provide hourly rates for each team member assigned to the project.

VII. Award of Contract

The Authority reserves the right to reject any and all proposals or to appoint one or more firms. Award of the contract will be made to the firm, in the sole opinion of the Authority, which will provide the best service and best meets the needs of the Authority.

The Authority is under no obligation to accept the lowest bidder. The Authority reserves the right to further negotiate services and costs which are proposed.

The terms and conditions of the work shall be set forth in a final Professional Services Contract to be negotiated. The engagement shall be for a term of approximately three years with two options for an additional year.

-
- San Bernardino County Transportation Commission ■ San Bernardino County Transportation Authority
■ San Bernardino County Congestion Management Agency ■ Service Authority for Freeway Emergencies
-

Minute Action

AGENDA ITEM: 5

Date: July 11, 2007

Subject: Selection of Broker for SANBAG Insurance Broker Services

Recommendation: * Recommend approval of Hilb, Rogal & Hobbs (HRH) to provide SANBAG Insurance Brokerage Services and authorize staff to negotiate Contract C08003 in a not to exceed amount of \$135,000 in fees (not including insurance premium amounts that are subject to bids) for a three year term and funded as described below in the Financial Impact Section; ISF08.

Background: In April 2007, the SANBAG Administrative Committee approved the release of a request for proposal (RFP 08-003) for SANBAG insurance broker services. In response to the RFP, seven firms submitted proposals. Firms that submitted proposals included:

Aon Risk Services, Inc.
Alliant Insurance Services, Inc.
Arthur J. Gallagher & Co.
Hilb, Rogal & Hobbs
HUB International of California Insurance Services, Inc.
Marsh Risk & Insurance Services
Willis

*Approved
Board of Directors*

Date: _____

Moved: _____ *Second:* _____

In Favor: _____ *Opposed:* _____ *Abstained:* _____

Witnessed: _____

In May, proposals were reviewed by the selection committee, which consisted of the Chief Financial Officer of SANBAG, the Risk Manager for San Bernardino County and the Finance Manager for the Southern California Schools Risk Management JPA. Based on this review the selection committee short-listed four firms including:

Alliant Insurance Services, Inc.
Arthur J. Gallagher and Co.
Hilb, Rogal & Hobbs (HRH)
Marsh Risk and Insurance Services

Interviews were conducted by the selection committee on June 5, 2007. Interview panelists included the same three members of the proposal review committee that reviewed the responses to the Request for Proposal. At the conclusion of the interviews, the review committee recommends selection of Hilb, Rogal & Hobbs. The strengths of HRH are as follows:

- Extensive experience with local governments and transportation agencies
- Emphasis on working with SANBAG on insurance issues that are expected to be addressed
- Proactive schedule and approach for completing the requested services
- Office in Rancho Cucamonga

HRH's fee proposal for expected services and a three year contract is an annual fixed fee of \$50,000 in the first year, \$45,000 in the second year and \$40,000 in the third year. Insurance premiums will be direct payables through the insurance broker based upon competitive bids and payroll costs. The contract is expected to be subject to optional extension for two additional years. Based on a review of the fee proposals submitted by the other short listed firms, the proposed fee is within the current market range for public agency clients.

Financial Impact: The recommended action is consistent with the SANBAG Fiscal Year 2007/2008 Budget. Future year contract costs will be budgeted as necessary in future year budgets; ISF08.

Reviewed By: This item was reviewed by the Administrative Committee on June 13, 2007 and unanimously recommended for approval. (*Meeting chaired by Lawrence Dale*)

Responsible Staff: Terrence J. McGuire, Chief Financial Officer

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SANBAG Contract No. C08003

by and between

San Bernardino Associated Governments

and

Hilb, Rogal & Hobbs

for

Risk Management Advisor, Consultant and Insurance Broker Services**FOR ACCOUNTING PURPOSES ONLY**

<input checked="" type="checkbox"/> Payable	Vendor Contract # <u>C08003</u>	Retention:	<input checked="" type="checkbox"/> Original
<input type="checkbox"/> Receivable	Vendor ID _____	<input type="checkbox"/> Yes _____ % <input checked="" type="checkbox"/> No	<input type="checkbox"/> Amendment

Notes: Budget Amounts include Consultant Fee plus estimated Insurance Premiums.

Original Contract:	\$ <u>1,740,000</u>	Previous Amendments Total:	\$ _____
Contingency Amount:	\$ _____	Previous Amendments Contingency Total:	\$ _____
		Current Amendment:	\$ _____
		Current Amendment Contingency:	\$ _____

Contingency Amount requires specific authorization by Task Manager prior to release.

Contract TOTAL → \$ 1,740,000

↓ Please include funding allocation for the original contract or the amendment.

Task	Cost Code	Funding Sources	Grant ID	Amounts
IAF07-Indirect	5532	Internal	9999	\$ <u>747,600</u>
ISF07-Indirect	5532	Internal	9999	\$ <u>992,400</u>
_____	_____	_____	_____	\$ _____
_____	_____	_____	_____	\$ _____

Original Board Approved Contract Date: <u>07/11/07</u>	Contract Start: <u>07/11/07</u>	Contract End: <u>12/1/10</u>
New Amend. Approval (Board) Date: _____	Amend. Start: _____	Amend. End: _____

If this is a multi-year contract/amendment, please allocate budget authority among approved budget authority and future fiscal year(s)-unbudgeted obligations:

Approved Budget Authority →	Fiscal Year: <u>07/08</u> \$ <u>580,000</u>	Future Fiscal Year(s) – Unbudgeted Obligation →	\$ <u>1,160,000</u>
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Is this consistent with the adopted budget? ☒ Yes ☐ No
If yes, which Task includes budget authority? Indirect
If no, has the budget amendment been submitted? ☐ Yes ☐ No

CONTRACT MANAGEMENT

Please mark an "X" next to all that apply:

☐ Intergovernmental ☒ Private ☐ Non-Local ☐ Local ☒ Partly LocalDisadvantaged Business Enterprise: ☒ No ☐ Yes _____ %Task Manager: **Terry McGuire**Contract Manager: **Terry McGuire**

Task Manager Signature

Date

Contract Manager Signature

Date

Chief Financial Officer Signature

Date

Filename:

CONTRACT NO. C08003

SAN BERNARDINO ASSOCIATED GOVERNMENTS

and

HILB, ROGAL & HOBBS

HRH Role & Responsibilities

As your broker, HRH will:

- I. Work with you to manage risk and control costs. Based on your input to us describing your business and operations, we will:**
 - A. Analyze the factors that are driving the cost of risk;
 - B. Develop & present cost-effective strategies for dealing with risk;
 - C. Seek out creative solutions and fully explore alternatives before recommending the purchase of insurance;
 - D. Provide a clear, concise explanation of what you are buying, what it costs, and why.
- II. Represent your interests in the marketplace when the purchase of insurance is necessary. Functioning as your broker/consultant, we will negotiate with the insurance companies on your behalf, and protect your interests. We will:**
 - A. Give you broad access to the insurance marketplace;
 - B. Monitor the published financial information of your insurers and alert you to changes in their status. (We cannot, however, guarantee the financial solvency of any insurance carrier.);
 - C. Follow up with insurance carriers for timely issuance of policies, endorsements, and agreements;
 - D. Review policies and endorsements for accuracy and conformity to specifications;
 - E. Provide easy-to-understand coverage summaries for all new coverages and updates on changes to existing coverages.
- III. Provide you with new ideas and information on a regular basis. Protecting the financial health of your organization is a process that requires action, not reaction. To ensure that your program remains effective and competitive, we will keep you informed of significant changes and/or trends in the insurance industry that could have an impact on your organization or affect you from a risk and insurance perspective.**
- IV. Deliver support and administrative assistance. We are committed to providing you with prompt, accurate service at all times. We will:**
 - A. Respond to questions and requests quickly;

- B. Return phone calls promptly;
 - C. Assist you in preparing insurance applications (we cannot, however, sign applications on your behalf);
 - D. Process certificates of insurance, auto identification cards, and motor vehicle report requests in a timely manner;
 - E. Issue binders prior to the expiration of your current policies;
 - F. Maintain an updated schedule of insurance;
 - G. Work with you to determine a schedule for reviewing insurance company loss runs;
 - H. Check the accuracy of audits, rating adjustments, and dividend calculations;
 - I. Develop procedures to ease administration and claims handling;
 - J. Coordinate the activities of any third party loss control providers or claims consulting services (we cannot assume responsibility for errors and omissions made by other such parties).
- V. **Take an aggressive, proactive approach to controlling losses and act as your advocate in the event of a claim.** We will:
- VI.
- A. Analyze losses to identify trends and potential problem areas that need to be addressed;
 - B. Recommend and coordinate special loss control services, if necessary;
 - C. Act as a liaison between you and the insurer or claims service organization, and negotiate on your behalf;
 - D. Work with you in designing claims handling procedures;
 - E. Track significant claims and provide you with periodic reports;
 - F. Monitor third party claims to ensure that your interests are protected;
 - G. Review experience modification factors;
 - H. Evaluate reserves and advise where adjustments are warranted.
- VII. **Establish a strategy that meets your needs, keeps us close to your business, and facilitates joint planning.** We will:
- A. Meet with your key people to discuss strategy and any changes in your situation;
 - B. Conduct a *Stewardship Review* to assess performance and establish future objectives and strategies. During the course of the review, we will:
 - 1. Perform a complete review and analysis of the existing program;
 - 2. Ask about changes in your goals, objectives, operations and exposures;
 - 3. Determine any short- and long-term influences that stand to impact your program in the future;
 - 4. Ask you to formally evaluate our performance.
 - C. Develop a mutually agreeable renewal action plan and timeline that meet your objectives and ensure that information is in your hands when you need it.

SANBAG's Role & Responsibilities

An effective program requires cooperation. We ask that you commit to a short- and long-term strategy, and view us as your business partner in making them a reality. Since many of the

business decisions you make will have an impact on your organization from a risk and insurance perspective, good two-way communication is essential. We ask that you bring us into the decision-making process early, and keep us apprised of changes in your situation on an ongoing basis. We also ask that you:

- I. Review your insurance policies and notify us promptly if you have questions or changes;
- II. Provide us with the information we need to do our job. It is extremely important that such information is accurate, complete, and provided to us in a timely fashion;
- III. Respond to our requests promptly;
- IV. Give us regular feedback on how we are measuring up to your expectations. (At the Stewardship Review, we will ask you to complete a formal evaluation of our performance to date.)
- V. Allow us to participate in the settlement of losses with insurance carriers;
- VI. Pay all invoices on a timely basis.

Records

You are entitled to non-proprietary copies of reports and/or documents relating to your account. However, files are generally not retained for more than five years after the expiration of a particular policy's term.

Compensation

We want you to have confidence that our recommendations are driven by your needs, not our own. To ensure this building of trust, with respect to each placement contemplated herein, we will not accept any compensation then due unless and until we have disclosed to you all quotes and declinations and the relevant terms of the quotes. Much of what we do is designed to eliminate your need for insurance. As a result, our philosophy is to base compensation on the roles and responsibilities set forth in this Agreement rather than on the amount of insurance placed.

HRH will deliver coverages for the lines of business set forth on Exhibit A for the following compensation:

Based on our roles and responsibilities, You agree to pay HRH an initial annual fee of \$50,000, payable starting on the effective date of this agreement or the date on which it is approved by SANBAG's Governing Board, whichever is the later. On subsequent annual terms of the agreement, SANBAG shall pay HRH, on annual basis the amount of \$45,000 for the second year, and \$40,000 for the third year of this agreement. Payments for the second and third years will be effective December 1st. Fees will be payable within thirty (30) days following your receipt of an invoice. We will endeavor to have your policies issued net of commission by the insurance underwriter(s). HRH will not accept any commissions, including contingent commissions, in connection with the placement of your policies under this agreement. If your policies are not issued net of commission to us or we cannot exclude your policies from any contingent commission agreement that we may have with insurance underwriters, you hereby consent that HRH may bind your policies and we will disclose to you, upon the earlier of the

date your policy is delivered to you or thirty days after binding of your policy, any commissions including, to the extent estimable, any contingent commissions, earned under this agreement and credit them, at the time applicable premiums are billed, against the annual fee as permitted by law.

If a commission is earned contrary to as set forth above, then Exhibit A shall be automatically deemed amended to provide for commission (including contingent compensation) and the fee portion, if any, shall be reduced by the amount of such commission. If there is not enough fee to apply against the commissions, HRH shall make disclosure to the client and explain how State laws limit recompense to the client. HRH shall submit a new Exhibit A to the client within 30 days of binding such policy containing commissions.

In addition to the compensation provided above, we may also receive interest paid to us by financial institutions earned on fiduciary or trust accounts in which we hold your premium payments pending remittance to the insurance company. We have found that in certain circumstances where certain insurance products are not available in the retail insurance market, it is beneficial to our clients to include in the insurance transaction wholesale brokers or other intermediaries who can make available to our clients specialized insurance products. If any such intermediary is used, we will disclose to you prior to the initial binding if the information is known at the time of binding, or as soon after initial binding as practicable if the information is not known at the time of binding, any compensation related to the wholesale transaction that we (and any affiliated intermediary, if applicable) will receive and any interest in, or contractual agreement with, the intermediary. Additionally, upon request, we will explain why the intermediary was used.

Compensation will be reviewed and negotiated prior to the conclusion of the three-year agreement. If, however, in the interim, there is a significant change in your operations and/or the scope and nature of your program, both of us agree to negotiate in good faith to revise our compensation upward or downward as appropriate. We seek to protect your interests and circumstances may change such that an emergency placement not contemplated herein may become necessary. While we would expect this to be very rare, we will strive to confirm your consent prior to such emergency binding as to our compensation. If circumstances do not permit prior confirmation of our compensation for such emergency placement, you consent to our binding coverage for you first, and we will disclose all relevant terms and commissions to you as soon after binding as practicable.

Term

The implementation of effective risk management strategies cannot be accomplished a year at a time. It requires a mutual commitment by both parties, as well as time, to implement strategies, and then evaluate their effectiveness. We are looking forward to a long-term, mutually beneficial association with SANBAG. This Agreement is for a three-year term expiring December 1, 2010.

We do understand, however, that circumstances do change. As such, both parties retain the right to terminate this agreement with 90 days' written notice. In the event of termination, we will

work to ensure an orderly transition process. However, our obligation and the obligation of our affiliates to perform our roles and responsibilities hereunder will cease upon the effective date of termination.

HRH's annual fee installment is fully earned with any unpaid amounts due upon termination and no refund being due to the SANBAG for that year's installment. All future annual installments will be null and void.

Please see Exhibit B for additional terms defining our relationship.

IN WITNESS THEREOF, the authorized parties have signed below.

**SAN BERNARDINO
ASSOCIATED GOVERNMENTS**

**HILB ROGAL & HOBBS INSURANCE
SERVICES OF CALIFORNIA INC.**

Lawrence E. Dale
President

Alexis Subee Fishman
Vice-President

Approved as to Form:

Jean-Rene Basle
SANBAG Counsel

EXHIBIT A

LINES OF COVERAGE PROVIDED

<u>Coverage/Policies</u>	<u>Coverage Period</u>	<u>Fee/Commission</u>
Commercial General Liability	12/1/07 – 12/1/08	Fee
Property	12/1/07 – 12/1/08	Fee
Workers Compensation	12/1/07 – 12/1/08	Fee
Auto Liability	12/1/07 – 12/1/08	Fee
Umbrella Liability	12/1/07 – 12/1/08	Fee
Public Officials Liability	12/1/07 – 12/1/08	Fee
Crime	12/1/07 – 12/8/08	Fee

EXHIBIT B

OTHER PROVISIONS

1. Compliance with Laws. HRH and the Client agree to comply with all applicable federal and state laws and regulations concerning labor and labor relations and the terms and conditions thereof. Each party shall furnish to the other, upon written request, evidence of compliance with such provisions as may be applicable to each party's obligations under this Agreement.

2. No Consequential Damages. Neither party shall be liable to the other party or to any third party for any consequential damages, including punitive damages and loss of profits, arising out of or related to this agreement, even if the party has been advised of the possibility of such damages.

3. Dispute Resolution and Arbitration.

(a) In the event of any controversy or claim arising out of or relating to this Agreement, the breach thereof or the relationship of the parties ("Dispute") under this Agreement, the parties shall negotiate in good faith to attempt to resolve the Dispute through direct discussions. Each party shall appoint a designated representative. In the event that the Dispute cannot be resolved within thirty (30) days of the date one party gave written notice of the Dispute to the other party, the Dispute shall be resolved in accordance with subparagraph (b) below. If a dispute arises out of or relates to this Agreement, or the breach thereof, the parties agree to first endeavor to settle the dispute in an amicable manner by mediation under the Commercial Mediation Rules of the American Arbitration Association, before resorting to arbitration.

(b) If the parties are unable to resolve any Dispute, such Dispute shall be submitted to mandatory and binding arbitration in accordance with the Commercial Arbitration Rules of the American Arbitration Association ("AAA"), as modified below:

(i) HRH will initiate arbitration by filing a demand at the Regional Office of the AAA closest to the Client. The Client will initiate arbitration by filing a demand at the Regional Office of the AAA closest to HRH. Each demand for arbitration shall describe the claim and relief sought.

(ii) Disputes will be heard and determined by a panel of three (3) arbitrators who each are experienced and knowledgeable in the practices generally of the insurance brokerage industry, and at least one of the arbitrators will be an attorney. One (1) arbitrator will be appointed by each party to serve on the panel. One (1) neutral arbitrator will be appointed by the two arbitrators. If the two (2) arbitrators selected cannot agree on the appointment of the third arbitrator within twenty (20) days of their appointment, or if either party shall fail to appoint its arbitrator within twenty (20) days after receipt of notice of demand for arbitration, such arbitrator(s) not appointed shall be selected and appointed by the AAA upon application of either party.

(iii) Except as set forth below, judgment upon any award of the majority of the arbitrators shall be final, binding and conclusive, and may be entered upon the motion of either party in a court of competent jurisdiction. The award of the arbitrators may grant relief which might be granted by a court of competent jurisdiction. Either party, before or during any arbitration, may apply to a court of competent jurisdiction for equitable relief where such relief is necessary to protect its interest pending completion of the arbitration.

(iv) Any party to an arbitration may petition the court in the state in which arbitration was held to confirm, correct or vacate the award on the grounds stated in the Federal Arbitration Act, or to enter judgment on the arbitration award.

(v) The non-prevailing party, as determined by the arbitrators, shall be responsible for all costs and expenses associated with each arbitration hereunder (including reasonable legal fees).

4. Independent Contractor. The relationship between the Client and HRH is that of independent contracting entities. Neither the Client nor HRH is, nor shall be construed to be, the agent, representative, or employee of the other. HRH is free to contract for similar services with other parties while this Agreement is in force. The Client retains no control or direction over HRH with respect to the detail, manner or method of the performance of HRH's responsibilities. HRH does not by virtue of its role and responsibilities hereunder expressly or impliedly undertake to perform or assume any duty owed by the Client.

5. Severability. If any provision of this Agreement is held invalid by any law, rule, order, or regulation of any government or by the final determination of any state or Federal court, then such provision shall be modified to the extent possible and necessary to preserve the original intentions of the parties, and such invalidity shall not affect the enforceability of any other provision not held to be invalid.

6. Waiver. Failure of the parties to insist upon compliance with any provision of this Agreement at any time or under any given act of circumstances shall not operate to waive or modify such provision or in any manner render it unenforceable, as to any other time or as to any other occurrence, whether the circumstances are, or are not the same, and no waiver of any of the terms or conditions of this Agreement shall be valid or of any force or effect unless contained in writing specifically expressing such waiver and signed by a person duly authorized to sign such waiver.

7. Assignment and Successors. Any assignment of this Agreement or of any rights hereunder shall be void and of no force or effect, unless agreed to by the parties in writing. This Agreement shall be binding upon the parties hereto, their heirs, successors, assigns and legal representatives, and references to HRH and the Client shall include their respective successors and permitted assigns.

8. Governing Law. Except to the extent preempted by any applicable federal law, this Agreement shall be governed by and interpreted in accordance with the laws of the State of California without reference to its laws governing conflicts of law.

9. Entire Agreement. This Agreement and the Exhibits hereto constitute the entire and complete understanding between the parties and supersede all prior and contemporaneous verbal and written agreements, communications and representations relating to the subject matter hereof. Its terms can be modified only by an instrument in writing signed by both parties.

Minute Action

AGENDA ITEM: 6

Date: July 11, 2007

Subject: Southern California Association of Governments Regional Council Membership

Recommendation: *

1. Approve SANBAG membership, acting as the County Transportation Commission, on the Southern California Association of Governments (SCAG) Regional Council
2. Appoint Mayor Paul Leon, City of Ontario, to represent SANBAG, as the County Transportation Commission, on the SCAG Regional Council for a two-year term to June 30, 2009.

Background: The SCAG bylaws provide for each of the five County Transportation Commissions within the region to be represented on the SCAG Regional Council by a city or a county elected official from its governing board. San Bernardino County currently has seven city representatives and one County Supervisor serving on the Regional Council. City representatives are selected by the elected officials from cities within the designated SCAG Districts to represent their interests on the SCAG Regional Council. Four of the eight Regional Council members from San Bernardino County are also members of the SANBAG Board of Directors, including Supervisor Gary Ovitt, who assumed the SCAG presidency in June 2007. In addition to the members of the Regional Council, SANBAG, acting as a subregional agency, also appoints seven members of the SANBAG Board of Directors to serve on the three SCAG policy committees.

SANBAG has not exercised the option to become a member of SCAG in its capacity as a County Transportation Commission due to the strong

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Approved
Board of Directors

Date: _____

Moved: _____ *Second:* _____

In Favor: _____ *Opposed:* _____ *Abstained:* _____

Witnessed: _____

San Bernardino County representation from both elected Regional Council members and subregional appointees.

The City of Ontario has recommended that SANBAG exercise the option as a County Transportation Commission to become a member of SCAG and take advantage of the additional Regional Council membership to advance the interests of SANBAG at the regional level. The City of Ontario has also expressed a willingness to pay the required dues for SANBAG membership, if the City of Ontario representative to SANBAG is appointed to serve on the Regional Council.

Staff recommends that SANBAG exercise its option to become a dues-paying member of SCAG for a one year period to assess the benefits of having an additional voting member of the SCAG Regional Council to represent SANBAG's interests as a County Transportation Commission. This will provide an opportunity to determine the benefit of membership, while also supporting the efforts of Supervisor Gary Ovitt to improve SCAG's awareness of Inland Empire issues during his presidency.

Financial Impact: The dues assessment for SANBAG membership at SCAG as a County Transportation Commission is \$25,000 a year. The City of Ontario has agreed to underwrite this expense, should the City representative on the SANBAG Board be appointed to represent SANBAG on the Regional Council. SANBAG pays no other dues or fees to SCAG as part of its participation with SCAG activities. Approval of this item will have no financial impact upon SANBAG.

Reviewed By: This item was reviewed by the Administrative Committee on June 13, 2007, and was unanimously recommended for approval.

Responsible Staff: Deborah Robinson Barmack
Director of Management Services

Minute Action

AGENDA ITEM: 7

Date: July 11, 2007

Subject: Testimony on Proposed Actions by the California Air Resources Board (CARB), and Goods Movement Control Measures Proposed by SCAG

Recommendation:* Receive information on the status of the South Coast Air Quality Management Plan (AQMP), testimony on CARB's proposed Mobile Source State Implementation Plan (SIP), and goods movement control measures proposed by SCAG

Background: Despite significant progress, the air quality of the South Coast Air Basin remains the worst in the nation. CARB estimates that fine particulate pollution less than 2.5 microns in diameter (PM_{2.5}) in the South Coast Air Basin is responsible annually for 5,400 premature deaths, 2,400 hospitalizations, and 980,000 lost work days. To achieve attainment of the federal PM_{2.5} standards as revised in September 2006, the three year annual average PM_{2.5} concentration must be 15 (µg/m³) or less by 2014, and the 98th percentile of 24-hour PM_{2.5} concentrations in a year, averaged over three years, must be 35 (µg/m³) or less by 2019 or 2020. The 24-hour standard is, by far, the more stringent of the two.

Residents of the South Coast Basin currently bear 82 percent of the statewide burden and 52 percent of the national burden of unhealthful levels of particulate pollution on a population-weighted exposure basis. After many years of increasingly stringent regulation of stationary sources by the South Coast Air

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*Approved
Board of Directors*

Date: _____

Moved:

Second:

In Favor:

Opposed:

Abstained:

Witnessed: _____

Quality Management District (AQMD), approximately 80 percent of the basin's smog is now caused by vehicles and other mobile sources. Absent significant intervention, the problem will be exacerbated by the anticipated tripling of goods movement activity in the next ten to twenty years. Even if the remaining stationary sources were to be completely shut down, the federal air quality standards for PM_{2.5}, 24-hour PM_{2.5}, and 8-hour ozone would not be met without substantial additional mobile source emission reductions. Further, over 70 percent of the airborne cancer risk in Southern California is directly attributed to diesel fueled engines in the basin. The responsibility for regulation of tailpipe emissions from on-road and off-road mobile sources rests with CARB and the United States Environmental Protection Agency (EPA).

While the reductions in oxides of nitrogen (NOx) needed to achieve the 2015 PM_{2.5} standard are very substantial, they are a mere fraction of the NOx reductions needed to attain the 24-hour PM_{2.5} standard as of 2019, or the 8-hour ozone standard as of 2023. Because of this, the AQMP focuses heavily on development of a NOx reduction strategy capable of attaining the more stringent thresholds 12 to 16 years in the future, while meeting the 2015 PM_{2.5} requirement en route. In fact, the "attainment demonstration" for 8-hour ozone is less challenging than for PM_{2.5}, because it can rely on undescribed "black box" measures. No such provision exists for PM_{2.5}.

Normally, the South Coast AQMP is approved by the AQMD Governing Board, and when combined by CARB with the state's Mobile Source Strategy, is able to demonstrate attainment of the federal air quality standards for submittal as the State Implementation Plan (SIP) to the EPA for approval. The approved SIP then becomes the basis for the conformity determination required of each new Regional Transportation Plan and Regional Transportation Improvement Program as a condition of federal approval. In this case, however, the AQMP approved on June 1, 2007 by the Governing Board, in combination with the Mobile Source Strategy proposed by CARB staff, fell short of demonstrable PM_{2.5} attainment by 74 tons of NOx per day, all of which (arguably) should come from mobile sources under the regulatory authority of CARB and the EPA. Through negotiation, the AQMD agree to accept an additional 11 tons to be reduced through controls on wood burning, although in reality these additional reductions are in the form of direct particulates rather than NOx, and therefore contribute little toward meeting the later, more difficult attainment deadlines. The ARB has refused to strengthen the state Mobile Source Strategy as appears to be necessary to meet all upcoming attainment deadlines.

At this time, a very substantial shortfall remains, which the AQMD estimates could leave as many as three million basin residents exposed to PM_{2.5} exceedances by the attainment deadline. CARB indicated its intention to address the shortfall through a "weight-of-evidence" argument that in effect claims that trends and other factors suggest that attainment will occur despite the analytic evidence to the contrary. It seems this argument would be more successful were the shortfall not a quarter of the total 2014 target, and far more difficult targets weren't looming a few more years beyond that.

The most immediate concern has been that while CARB has a legal obligation to prepare a SIP that reduces emissions enough to show attainment, it has indicated that it will delay consideration of the AQMP until October, while moving to approve its own mobile source strategy in late June. This appeared to ensure that the state's adopted mobile source strategy would fall short of the mobile source reductions needed to reach attainment in the South Coast Air Basin, and appeared to allow CARB to sidestep the responsibility staff believes it has to further reduce mobile source emissions in the South Coast Air Basin. However, overwhelming testimony, including SANBAG testimony including a letter from President Hansberger pursuant to direction from the Plans and Programs Policy Committee in opposition to this approach, caused the CARB Board to defer action pending further negotiation with the South Coast AQMD. The testimony reflected unprecedented solidarity among the Southern California business community, local and regional agencies, and the environmental community in telling the Air Resources Board to behave responsibly to do its share to clean up the air. The testimony was at least 95%, perhaps even 100 to 1, against approval of the state mobile source strategy separate from the AQMP as proposed by CARB staff, and support instead for additional measures recommended for ARB action by the SCAQMD.

SCAG is responsible for preparation of the transportation activity element of the AQMP. This element typically focuses on modest emission reduction benefits associated with reductions in vehicle miles traveled (VMT), congestion relief, and improved transit. In this case, however, SCAG proposed inclusion of freight-movement by magnetic levitation (MAGLEV) trains, and a 140-mile dedicated truck lane system for longer combination vehicles (LCVs) through Los Angeles and San Bernardino Counties as part of the strategy to meet the 2014 PM_{2.5} target. The combined cost of these measures is estimated to be in excess of \$40 billion, most of which was proposed to be privately financed. The combined measures were to reduce NOx emissions by 22 tons in 2014, and would become part of the conformity test for the new 2007 RTP. Following numerous expressions of concern over both technical and procedural issues by SANBAG, RCTC, and

LACMTA staff, these measures were not approved as part of the AQMP by the AQMD Governing Board, but may be reconsidered at the AQMD's next meeting on July 13, 2007. Staff is now working with the other Commissions and SCAG to determine if realistic sources of additional emission reductions can be identified. At least one formal consultation meeting between the commissions and SCAG is required pursuant to AB1246 requirements prior to a final decision.

Financial Impact: This item has serious air quality conformity implications for the Regional Transportation Plan (RTP). In the absence of a conforming RTP, SANBAG could not deliver regionally significant road capacity projects (such as mainline freeway, interchange, and major arterial improvements), even if they were funded entirely by non-federal funds. Failure to have a conforming RTP could occur if there were no federally approved SIP because attainment could not be demonstrated, or because the RTP itself cannot meet emission reduction targets established for it by the SIP. For these reasons, it is essential that: 1) the AQMP/SIP shows adequate emission reductions to demonstrate attainment, and 2) the emission reduction target established for the RTP by the SIP does not rely on projects of dubious merit or doubtful deliverability.

Reviewed By: This item was reviewed by the Plans and Programs Policy Committee on June 20, 2007. *(Meeting chaired by Mayor Eaton)*

Responsible Staff: Ty Schuiling, Director of Planning and Programming

- San Bernardino County Transportation Commission ■ San Bernardino County Transportation Authority
■ San Bernardino County Congestion Management Agency ■ Service Authority for Freeway Emergencies

Minute Action

AGENDA ITEM: 8

Date: July 11, 2007

Subject: 2007 Measure I Population Estimates for Measure I Allocations

Recommendation: * Adopt the 2007 population estimates for use in allocation of Measure I Local Pass-Through Funds

Background: Population estimates for the cities and unincorporated territory within each Measure I Subarea are used in the allocation of Measure I funds. The Valley distribution formula for Local Pass-Through Funds is based strictly upon population, while the Mountain/Desert formula contains both population and point of generation components. The formulas are updated annually, using the State Department of Finance population estimates for January 1 of each year. The San Bernardino County Demographic Research Unit disaggregates the unincorporated population by Measure I Subarea, based on the building permit activity and controlled to the Department of Finance unincorporated total.

The January 1 population estimates contained in this agenda item are recommended for approval and use in allocation of Measure I Local Pass-Through Funds. Jurisdictions in the Mountain/Desert show slight population gains from the prior year; however, there should be no recognizable shift in Measure I fund allocations related to population.

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Approved
Board of Directors

Date: _____

Moved:

Second:

In Favor:

Opposed:

Abstained:

Witnessed: _____

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Both the 2007 population estimates and the 2006 population estimates are included in this agenda item for comparative purposes. As of 2007, the City of Victorville is the first Mountain/Desert city to reach a population of 100,000 or more and the fifth city in San Bernardino County to reach a population of 100,000 or more. During calendar year 2006, the population of the Mountain/Desert Region increased from 527,687 to 547,666, and its share of the total county population increased by 0.52%. Over the past two years, the Mountain/Desert Region has seen its percent share of the county total increase by 1.05% and now 27.01% of the county's population resides in a Mountain/Desert subarea.

Financial Impact: This item has no direct impact upon the SANBAG budget. The adopted population estimates are incorporated into the allocation formula for distribution to local jurisdictions. The distribution of Measure I funds will be adjusted retroactive to January 1, 2006, to reflect each jurisdictions' relative proportion of population within the Measure I subarea.

Reviewed By: This item was reviewed by the Mountain Desert Committee on June 15, 2007, (*Chaired by Rick Roelle*), and was unanimously recommended for approval.

Responsible Staff: Ryan Graham, Transportation Planning Specialist

MEASURE I 2007 POPULATION ESTIMATES
 PREPARED BY SAN BERNARDINO COUNTY PLANNING DEMOGRAPHIC RESEARCH UNIT

PLANNING REGION	(1) DOF/CO 2007	(2) ADJUSTMENT	2007 TOTAL	PERCENT OF SUBAREA	PERCENT OF COUNTY TOTAL
WEST VALLEY					
CHINO	81,224		81,224	5.49%	
CHINO HILLS	73,668		73,668	5.31%	
FONTANA	181,640		181,640	12.27%	
MONTCLAIR	36,622		36,622	2.47%	
ONTARIO	172,701		172,701	11.67%	
RANCHO CUCAMONGA	172,331		172,331	11.64%	
UPLAND	75,169		75,169	5.08%	
UNINCORPORATED	59,203		59,203	4.00%	
TOTAL WEST VALLEY			857,558	57.93%	
EAST VALLEY					
COLTON	51,797		51,797	3.50%	
GRAND TERRACE	12,380		12,380	0.84%	
HIGHLAND	52,186		52,186	3.53%	
LOMA LINDA	22,451		22,451	1.52%	
REDLANDS	71,375		71,375	4.82%	
RIALTO	99,064		99,064	6.69%	
SAN BERNARDINO	205,010		205,010	13.85%	
YUCAIPA	51,784		51,784	3.50%	
UNINCORPORATED	56,742		56,742	3.83%	
TOTAL EAST VALLEY			622,789	42.07%	
TOTAL VALLEY			1,480,347	100.00%	72.99%
MOUNTAINS					
BIG BEAR LAKE	6,207		6,207	11.71%	
UNINCORPORATED	46,806	(3)	46,806	88.29%	
TOTAL MOUNTAINS			53,013	100.00%	2.61%

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NORTH DESERT				
(CONTINUED)				
BARSTOW	23,943		23,943	40.10%
UNINCORPORATED	35,762		35,762	59.90%
TOTAL NORTH DESERT			59,705	100.00% 2.94%
(CONTINUED)				
COLORADO RIVER				
NEEDLES	5,759		5,759	70.78%
UNINCORPORATED	2,377		2,377	29.22%
TOTAL COLORADO RIVER			8,136	100.00% 0.40%
MORONGO BASIN				
TWENTYNINE PALMS	24,830	(4)	24,830	34.69%
YUCCA VALLEY	21,044		21,044	29.40%
UNINCORPORATED	25,712		25,712	35.92%
TOTAL MORONGO BASIN			71,586	100.00% 3.53%
VICTOR VALLEY				
ADELANTO	27,139	(5)	27,139	7.64%
APPLE VALLEY	70,297	(5)	70,297	19.79%
HESPERIA	85,876	(5)	85,876	24.18%
VICTORVILLE	102,538	(5)	102,538	28.87%
UNINCORPORATED (3)	69,376	(5)	69,376	19.53%
TOTAL VICTOR VALLEY	355,226		355,226	100.00% 17.52%
TOTAL DESERT			494,653	
TOTAL MOUNTAIN/DESERT			547,666	27.01%
SUMMARY:				
TOTAL INCORPORATED	1,732,035		1,732,035	85.41%
TOTAL UNINCORPORATED	295,978		295,978	14.59%
TOTAL COUNTY	2,028,013		2,028,013	100.00%

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- (1) - CITY FIGURES FROM DOF JANUARY 1, 2007 ESTIMATES; UNINCORPORATED FIGURES FROM PLANNING DEPARTMENT ESTIMATES CONTROLLED TO DOF UNINCORPORATED TOTAL. (CONTINUED).
- (2) - THIS COLUMN CONTAINS ADJUSTMENTS NECESSARY TO MODIFY CITY TOTALS AS SPECIFIED IN MEASURE I.
- (3) - THE WRIGHTWOOD COMMUNITY AND AREAS NORTH OF LONE PINE CANYON ROAD WERE EXCLUDED FROM THE MOUNTAIN AREA AND INCLUDED IN THE VICTOR VALLEY AS SPECIFIED IN MEASURE I.
- (4) - THE POPULATED PORTIONS OF THE TWENTYNINE PALMS MARINE BASE HAVE BEEN ANNEXED BY THE CITY OF TWENTYNINE PALMS.
- (5) - WITH THE CLOSING OF GEORGE AIR FORCE BASE, THERE IS NO LONGER AN ALLOCATION OF POPULATION TO THE CITIES IN THE VICTOR

MEASURE I 2006 POPULATION ESTIMATES
 PREPARED BY SAN BERNARDINO COUNTY PLANNING DEMOGRAPHIC RESEARCH UNIT

PLANNING REGION	(1) DOF/CO 2006	(2) ADJUSTMENT	2005 TOTAL	PERCENT OF SUBAREA	PERCENT OF COUNTY TOTAL
WEST VALLEY					
CHINO	78,055		78,055	5.33%	
CHINO HILLS	77,969		77,969	5.33%	
FONTANA	165,462		165,462	11.30%	
MONTCLAIR	35,648		35,648	2.43%	
ONTARIO	171,113		171,113	11.69%	
RANCHO CUCAMONGA	170,479		170,479	11.64%	
UPLAND	74,099		74,099	5.06%	
UNINCORPORATED	72,129		72,129	4.93%	
TOTAL WEST VALLEY			844,954	57.71%	
EAST VALLEY					
COLTON	51,731		51,731	3.54%	
GRAND TERRACE	12,380		12,380	0.85%	
HIGHLAND	51,489		51,489	3.52%	
LOMA LINDA	21,912		21,912	1.50%	
REDLANDS	71,086		71,086	4.86%	
RIALTO	99,189		99,189	6.77%	
SAN BERNARDINO	201,823		201,823	13.78%	
YUCAIPA	50,553		50,553	3.45%	
UNINCORPORATED	58,975		58,975	4.03%	
TOTAL EAST VALLEY			619,188	42.29%	
TOTAL VALLEY			1,464,142	100.00%	73.51%
MOUNTAINS					
BIG BEAR LAKE	6,182		6,182	11.74%	
UNINCORPORATED	46,487	(3)	46,487	88.26%	
TOTAL MOUNTAINS			52,669	100.00%	2.64%
NORTH DESERT					

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BARSTOW	23,599		23,599	40.14%	
(CONTINUED)					
UNINCORPORATED	35,190		35,190	59.86%	
TOTAL NORTH DESERT			58,789	100.00%	2.95%
COLORADO RIVER					
NEEDLES	5,681		5,681	70.51%	
UNINCORPORATED	2,376		2,376	29.49%	
TOTAL COLORADO RIVER			8,057	100.00%	0.40%
MORONGO BASIN					
TWENTYNINE PALMS	27,498	(4)	27,498	37.57%	
YUCCA VALLEY	20,537		20,537	28.06%	
UNINCORPORATED	25,149		25,149	34.36%	
TOTAL MORONGO BASIN			73,184	100.00%	3.67%
VICTOR VALLEY					
ADELANTO	24,880	(5)	24,880	7.43%	
APPLE VALLEY	67,507	(5)	67,507	20.15%	
HESPERIA	80,268	(5)	80,268	23.96%	
VICTORVILLE	95,145	(5)	95,145	28.40%	
UNINCORPORATED (3)	67,188	(5)	67,188	20.06%	
TOTAL VICTOR VALLEY	334,988		334,988	100.00%	16.82%
TOTAL DESERT			475,018		
TOTAL MOUNTAIN/DESERT			527,687		26.49%
SUMMARY:					
TOTAL INCORPORATED	1,684,335		1,684,335	84.56%	
TOTAL UNINCORPORATED	307,494		307,494	15.44%	
TOTAL COUNTY	1,991,829		1,991,829	100.00%	

(1) - CITY FIGURES FROM DOF JANUARY 1, 2006 ESTIMATES; UNINCORPORATED FIGURES FROM PLANNING DEPARTMENT ESTIMATES CONTROLLED TO DOF UNINCORPORATED TOTAL.

BRD0707C-RPG.DOC
 50408000, 50508000
 Attachments:
 MIPop2007-RPG.xls
 MIPop2006-RPG.xls

Board of Directors Agenda Item

July 11, 2007

Page 8

- (2) - THIS COLUMN CONTAINS ADJUSTMENTS NECESSARY TO MODIFY CITY TOTALS AS SPECIFIED IN MEASURE I.
- (3) - THE WRIGHTWOOD COMMUNITY AND AREAS NORTH OF LONE PINE CANYON ROAD WERE EXCLUDED FROM THE MOUNTAIN AREA AND INCLUDED IN THE VICTOR VALLEY AS SPECIFIED (CONTINUED)
IN MEASURE I.
- (4) - THE POPULATED PORTIONS OF THE TWENTYNINE PALMS MARINE BASE HAVE BEEN ANNEXED BY THE CITY OF TWENTYNINE PALMS.
- (5) - WITH THE CLOSING OF GEORGE AIR FORCE BASE, THERE IS NO LONGER AN ALLOCATION OF POPULATION TO THE CITIES IN THE VICTOR VALLEY.

BRD0707C-RPG.DOC
50408000, 50508000
Attachments:
MIPop2007-RPG.xls
MIPop2006-RPG.xls

- San Bernardino County Transportation Commission ■ San Bernardino County Transportation Authority
■ San Bernardino County Congestion Management Agency ■ Service Authority for Freeway Emergencies

Minute Action

AGENDA ITEM: 9

Date: July 11, 2007

Subject: Proposition 1B—Local Street and Road Improvement, Congestion Relief and Traffic Safety Account

Recommendation:* Status of the Proposition 1B Local Street and Road Improvement, Congestion Relief and Traffic Safety Account.

Background: Proposition 1B, approved by the voters at the November 2006, general election, enacts the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006, which authorizes the issuance of \$19.925 billion of general obligation bonds for various transportation purposes, including \$2 billion to be allocated by the Controller to cities and counties, by formula, for local street and road purposes, subject to appropriation by the Legislature.

SB 286 as amended June 4, 2007 proposes to apportion the \$2 billion equally between cities and counties, with each group receiving \$1 billion. Subsequently, the \$1 billion each for cities and counties will be apportioned based on the following formulas.

Cities—The formula proposed by SB 286 would apportion the \$1 billion among cities based on the proportion that the total population of the city bears to the total population of all the cities in the state, provided, however, that the Controller shall allocate a minimum of four hundred thousand dollars (\$400,000) to each city. The legislation proposes to use the population estimates prepared by the Demographic Research Unit of the

*

Approved
Board of Directors

Date: _____

Moved:

Second:

In Favor:

Opposed:

Abstained:

Witnessed: _____

Department of Finance as of January 1, 2007. The estimated revenue for each local jurisdiction, as prepared by the California Local Government Finance Almanac, is included as Attachment A to this agenda item.

Counties—The formula proposed by SB 286 allocates seventy-five (75) percent of the funds based on the number of fee-paid and exempt vehicles that are registered in the county bears to the number of fee-paid and exempt vehicles registered in the state and allocates twenty-five (25) percent of the funds based on the proportion that the number of miles of maintained county roads in each county bears to the total number of miles of maintained county roads in the state.

As of the most current version of the legislation, funds apportioned to a city or county will be required to be used for improvements to improving traffic flows, or increasing traffic safety that may include, but not be limited to, street and highway pavement maintenance, rehabilitation, installation, construction and reconstruction of necessary associated facilities such as drainage and traffic control devices, or the maintenance, rehabilitation, installation, construction and reconstruction of facilities that expand ridership on transit systems, safety projects to reduce fatalities, or as a local match to obtain state or federal transportation funds for similar purposes. The funds may not be used for funding transit operating costs.

SB 286 proposes to establish a number of requirements for local governments on the administration of the Prop 1B Local Streets and Roads Funds. The requirements contained in the legislation are as follows:

1. Local governments will be required to submit to the Department of Finance, upon appropriation of bond funds by the Legislature, a list of projects expected to be funded with bond funds pursuant to an adopted city or county budget.
2. Local governments will be required to submit documentation of expenditure of bond funds made available under this subdivision to the Department of Finance, including the name of each project, the location, the amount of the expenditure, and the completion date and estimated useful life.
3. At the conclusion of each fiscal year during which local government expends the funds it has received, the Controller may verify that the local government has expended the funds on eligible projects. Any local government determined to have spent funds on ineligible projects shall reimburse the state for all ineligible expenditures for that fiscal year.

Any funds withheld or returned as a result of a failure to comply with the expenditure guidelines shall be reallocated to the other counties and cities whose expenditures are in compliance.

4. Local governments have three fiscal years to expend the funds from the date that the funds are allocated by the Controller, and any funds not expended within that period shall be returned to the Controller and be reallocated to cities or counties, as applicable, pursuant to the allocation formulas set forth in the legislation, with the exception of the minimum city allocation of \$400,000

Finally, SB 286 would require that the first payment of funds for local streets and roads be allocated by the Controllers office no later than January 1, 2008. It is anticipated that the allocation by the Controllers office to local governments will occur over five years.

Financial Impact: This item has no impact on the current adopted SANBAG Budget. Staff activities related to this agenda item are consistent with the adopted budget, Task No 94107000, Mountain/Desert Planning and Programming

Reviewed By: This item was reviewed by the Mountain Desert Committee on June 15, 2007 (Meeting Chaired by Rick Roelle) and by the Plans and Programs Committee on June 20, 2007 (Meeting chaired by Paul Eaton), and was unanimously recommended for approval.

Responsible Staff: Ryan Graham, Transportation Planning Specialist

Attachment A: Estimate of Prop 1B Local Street and Road Improvement Funds

City Allocation = \$1,000,000,000
 Minimum Allocation = \$400,000
 Per Capita => \$31.30

Jurisdiction	Population 1/1/07	Estimated Allocation
ADELANTO	27,139	\$849,497
APPLE VALLEY	70,297	\$2,200,415
BARSTOW	23,943	\$749,456
BIG BEAR LAKE	6,207	\$400,000
CHINO	81,224	\$2,542,449
CHINO HILLS	78,668	\$2,462,442
COLTON	51,797	\$1,621,334
FONTANA	181,640	\$5,685,640
GRAND TERRACE	12,380	\$400,000
HESPERIA	85,876	\$2,688,064
HIGHLAND	52,186	\$1,633,510
LOMA LINDA	22,451	\$702,754
MONTCLAIR	36,622	\$1,146,331
NEEDLES	5,759	\$400,000
ONTARIO	172,701	\$5,405,834
RANCHO CUCAMONGA	172,331	\$5,394,252
REDLANDS	71,375	\$2,234,158
RIALTO	99,064	\$3,100,871
SAN BERNARDINO	205,010	\$6,417,160
TWENTYNINE PALMS	24,830	\$777,221
UPLAND	75,169	\$2,352,917
VICTORVILLE	102,538	\$3,209,613
YUCAIPA	51,784	\$1,620,927
YUCCA VALLEY	21,044	\$658,713
		\$54,653,558

* Estimates from <http://www.californiacityfinance.com>; allocation expected to be over five years beginning in FY07/08

County	Registered Vehicles	Maintained Mileage	Projected Revenue
SAN BERNARDINO COUNTY	1,554,213	2,822.13	\$50,504,751

* Estimate from <http://www.csac.counties.org>; allocation expected to be over five years beginning in FY07/08

- San Bernardino County Transportation Commission ■ San Bernardino County Transportation Authority
■ San Bernardino County Congestion Management Agency ■ Service Authority for Freeway Emergencies

Minute Action

AGENDA ITEM: 10

Date: July 11, 2007

Subject: Contract for Kern County Participation in State Route 58 (SR-58)
Origin/Destination Truck Study

- Recommendation:**
1. Approve SANBAG Contract Number R08009 with Kern Council of Governments (COG) in an amount not to exceed \$30,000 for the completion of an Origin/Destination Truck Study on SR-58 between I-5 in Kern County and I-15 in San Bernardino County, as specified in the Financial Impact Section.
 2. Approve an amendment to the FY 2007/2008 budget, increasing Task No. 94108000 by \$30,000, as specified in the Financial Impact Section.

Background: On June 6, 2007, the Board approved SANBAG Contract Number R07251 with Caltrans in an amount not to exceed \$250,000 for purposes of conducting an origin and destination truck study on SR-58 between I-5 in Kern County and I-15 in San Bernardino County. Kern COG, recognizing the importance of SR-58 to its County, has proposed to contribute an additional \$30,000 for the project in addition to the \$250,000 already approved. In return for the contributions to the project by Caltrans and Kern COG, the Board has authorized SANBAG to serve as the contracting agency for the study, to manage and monitor the performance of the consultant and to facilitate Technical Advisory Committee meetings throughout the duration of the project.

*

Approved
Board of Directors

Date: _____

Moved: _____ *Second:* _____

In Favor: _____ *Opposed:* _____ *Abstained:* _____

Witnessed: _____

The study will provide data useful in quantifying truck trip characteristics and travel patterns on SR-58. The intent of the origin and destination truck study is to gain statistical information on the origin and destination of heavy duty trucks traveling between San Bernardino and Kern Counties and to better understand the types of cargo being transported by trucks on the facility. The information gained from this study will be used to inform the SR-58 project development activities currently underway by Caltrans and to inform other future planning efforts in San Bernardino and Kern Counties.

This agenda item seeks approval of SANBAG Contract Number R08009 with Kern COG for an amount not to exceed \$30,000. A separate agenda item seeks approval of the Scope of Work and Request for Proposals (RFP) for the project. If all items are approved, staff anticipates circulating the RFP in July 2007.

Financial Impact: An amendment to Task No. 94108000, Mountain/Desert Planning and Project Development, Cost Code 54/6010, is required to increase the budget by \$30,000 in funds provided by Kern COG. The current budget for Task No. 94108000 also contains \$30,000 in SANBAG Local Transportation Funds – Planning for this project.. All staff activities are consistent with the adopted budget, which will be credited as in-kind contributions to this project.

Reviewed By: This item was reviewed by the Mountain Desert Committee on June 15, 2007 (*Meeting Chaired by Rick Roelle*), and was unanimously recommended for approval. The attachment has been reviewed and approved by SANBAG Counsel.

Responsible Staff: Ryan Graham, Transportation Planning Specialist

SANBAG Contract No. R08009

by and between

San Bernardino Associated Governments

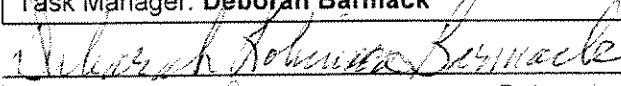
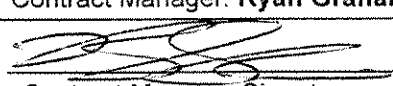

and

Kern Council of Governments

for

SR-58 Origin and Destination Truck Study

FOR ACCOUNTING PURPOSES ONLY				
<input type="checkbox"/> Payable <input checked="" type="checkbox"/> Receivable	Vendor Contract # _____ Vendor ID _____	Retention: <input type="checkbox"/> Yes _____ % <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Original <input type="checkbox"/> Amendment	
Notes:				
Original Contract: \$ <u>30,000</u> Contingency Amount: \$ <u>0</u>		Previous Amendments Total: \$ <u>0</u> Previous Amendments Contingency Total: \$ <u>0</u> Current Amendment: \$ <u>0</u> Current Amendment Contingency: \$ <u>0</u>		
Contingency Amount requires specific authorization by Task Manager prior to release.				
Contract TOTAL →				\$ <u>30,000</u>
↓ Please include funding allocation for the original contract or the amendment.				
<u>Task</u>	<u>Cost Code</u>	<u>Funding Sources</u>	<u>Grant ID</u>	<u>Amounts</u>
<u>94108000</u>	_____	<u>Kern COG</u>	_____	\$ <u>30,000</u>
_____	_____	_____	_____	\$ _____
_____	_____	_____	_____	\$ _____
_____	_____	_____	_____	\$ _____
Original Board Approved Contract Date: <u>7/11/07</u> Contract Start: <u>7/11/07</u> Contract End: <u>6/30/09</u>				
New Amend. Approval (Board) Date: _____ Amend. Start: _____ Amend. End: _____				
If this is a multi-year contract/amendment, please allocate budget authority among approved budget authority and future fiscal year(s)-unbudgeted obligations:				
Approved Budget Authority →	Fiscal Year: <u>07/08</u> \$ <u>30,000</u>	Future Fiscal Year(s) – Unbudgeted Obligation →	\$ _____	
Is this consistent with the adopted budget? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				
If yes, which Task includes budget authority? _____				
If no, has the budget amendment been submitted? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No				
CONTRACT MANAGEMENT				
Please mark an "X" next to all that apply:				
<input checked="" type="checkbox"/> Intergovernmental <input type="checkbox"/> Private <input type="checkbox"/> Non-Local <input type="checkbox"/> Local <input type="checkbox"/> Partly Local				
Disadvantaged Business Enterprise: <input type="checkbox"/> No <input type="checkbox"/> Yes _____ %				
Task Manager: Deborah Barmack			Contract Manager: Ryan Graham	

 Task Manager Signature _____ Date <u>6/8/07</u>	 Contract Manager Signature _____ Date <u>6/8/07</u>
 Chief Financial Officer Signature _____ Date _____	

Filename: R08009

SANBAG CONTRACT NO: R08009
by and between
SAN BERNARDINO ASSOCIATED GOVERNMENTS
and
KERN COUNCIL OF GOVERNMENTS
for
State Route 58 Origin and Destination Truck Study

THIS CONTRACT ("Contract") is made and entered into the _____, by and between the San Bernardino Associated Governments, hereinafter referred to as "SANBAG", and the Kern Council of Governments, hereinafter referred to as "KERN COG."

RECITALS

WHEREAS, State Route 58 (SR-58) is a state highway of interregional significance to both San Bernardino County and Kern County; and

WHEREAS, SR-58 is a significant link in the goods movement network of the State of California; and

WHEREAS, both SANBAG, KERN COG and Caltrans desire to better understand the travel characteristics of trucks using SR-58 to move goods between and through San Bernardino and Kern Counties; and

WHEREAS, SANBAG, KERN COG and Caltrans agree that an Origin and Destination Truck Study, hereafter referred to as "PROJECT," would be of significance to both counties and the State of California Department of Transportation; and

WHEREAS, SANBAG, KERN COG and Caltrans mutually desire to have SANBAG, using a consulting firm, prepare PROJECT; and

WHEREAS, SANBAG and Caltrans entered into Contract Number R07251 to provide \$250,000 in State Public Transportation Account funds for the project; and

WHEREAS, SANBAG has budgeted \$30,000 in Local Transportation Funds in its fiscal year 2007/2008 Budget; and

WHEREAS, SANBAG will serve as contracting agency and provide in-kind services for PROJECT; and

WHEREAS, KERN COG is prepared to contribute \$30,000 for purposes of preparing PROJECT,

NOW, THEREFORE, in consideration for the promises set forth herein, the parties hereto agree as follows:

1. General Scope of Contract. KERN COG shall provide \$30,000 for PROJECT. The funds provided to SANBAG will be used to fund consultant services required for the successful completion of PROJECT. The PROJECT is for the preparation of an Origin and Destination Truck Study on SR-58 as described in Attachment A, Scope of Work. The funds are eligible to be used on any portion of the project identified in Attachment A. KERN COG's financial responsibility shall not exceed \$30,000. SANBAG is responsible for PROJECT performance, and any costs beyond those authorized by this agreement shall be the sole responsibility of SANBAG. Changes in the scope, character or total cost of the PROJECT are the sole responsibility of SANBAG.
2. Term. The term of this Contract shall be from the date of execution by both parties until PROJECT completion, but shall not extend further than June 30, 2009.
3. Coordination with State and Federal Agencies. SANBAG shall interface directly with Caltrans and other involved agencies, as applicable, relative to the completion of PROJECT.
4. Reporting. SANBAG shall make quarterly reports on the status of the PROJECT to the Eastern California Transportation Planning Partnership, documenting the status of PROJECT's implementation progress throughout the duration of the contract. The first report shall occur within three (3) months from the execution of the contract between SANBAG and consultant on the PROJECT. SANBAG shall make up to two presentations to the KERN COG Board of Directors if asked by KERN COG. It is anticipated that one presentation will occur midway through the completion of the PROJECT and the second presentation will occur at the conclusion of the PROJECT
5. Billing. SANBAG will invoice KERN COG within thirty (30) days following the execution of the contract. Upon receipt of invoice by SANBAG, KERN COG will remit payment within 45 days.
6. Records. SANBAG shall keep and maintain all books, papers, records, accounting records including but not limited to all direct and indirect costs allocated to the PROJECT, files, accounts, reports, cost proposals with backup data, and all other material relating to the PROJECT. SANBAG shall, upon request, make all such materials available to KERN COG or its designee at any reasonable time during the term of the Contract and for three (3) years from the date of completion of PROJECT for inspection and copying.
7. Attorneys' Fees. If any legal action is instituted to enforce or declare any party's rights hereunder, each party, including the prevailing party, must bear its own costs and attorneys' fees. This paragraph shall not apply to those costs and attorneys' fees directly arising from any third party legal action against a party hereto and payable under Paragraph 10, Indemnification.

8. Delivery of Notices. All notices permitted or required under this Contract shall be given to the respective parties in writing at the following address, or at such other address as the respective parties may provide in writing for this purpose:

KERN COG: Ron Brummett
 Executive Director
 Kern Council of Governments
 1401 19th Street, Suite 300
 Bakersfield, California 93301

SANBAG: Deborah Robinson Barmack
 San Bernardino Associated Governments
 1170 W. 3rd St, 2nd Floor
 San Bernardino, California 92401

Such notice shall be deemed made when personally delivered or when mailed, forty-eight (48) hours after deposit in the U.S. Mail, first class postage prepaid and addressed to the party at its applicable address.

9. Entire Agreement. This Contract contains the entire Contract of the parties with respect to the subject matter hereof, and supersedes all prior negotiations, understandings or agreements. This Contract may only be modified by a writing approved by both SANBAG's Board of Directors and KERN COG's Board of Directors and signed by both parties.

10. Consent. Whenever consent or approval of any party is required under this Contract, that party shall not unreasonably withhold nor delay such consent or approval.

11. Disputes. In the event any dispute arises between the parties hereto under or in connection with this Contract, the dispute shall be decided by the Executive Director of SANBAG or a duly authorized representative within thirty (30) calendar days after notice thereof in writing which shall include a detailed statement of the grounds of the dispute and why the dispute should be resolved in KERN COG's favor. If the Executive Director fails to resolve the dispute in a manner acceptable to KERN COG, then such appeal shall be decided by a court of competent jurisdiction. During resolution of the dispute, KERN COG shall proceed with the performance of this Contract to the extent practicable.

IN WITNESS WHEREOF, the parties hereto have executed the Contract on the date first hereinabove written.

**SAN BERNARDINO
ASSOCIATED GOVERNMENTS:**

By: _____
Lawrence Dale, President

**KERN COUNCIL OF
GOVERNMENTS:**

By: Cheryl Wegman
Cheryl Wegman, Chair

By: _____
Ron Brummett, Executive Director

APPROVED AS TO LEGAL FORM:

By: Jean Rene Basle
Jean Rene-Basle, SANBAG Counsel

APPROVED AS TO LEGAL FORM:

By: Patricia Randolph
Patricia Randolph, Kern COG Counsel

ATTACHMENT A SCOPE OF WORK

San Bernardino Associated Governments (SANBAG) is soliciting proposals from qualified consultants to develop and deliver a Truck Origin and Destination Goods Movement Study for selected roadways in western San Bernardino County and eastern Kern County, focusing on SR-58 but including important state highways and interstates that intersect with it. SANBAG is conducting this study in cooperation with Caltrans District 6 (Kern County), Caltrans District 8 (San Bernardino County), and the Kern Council of Governments (Kern COG). The purpose of the study is to gain statistical information on the origin and destination of heavy duty trucks traveling between San Bernardino and Kern Counties and to better understand the types of cargo being transported by trucks. Information gained from this study will be used to inform the SR-58 project development activities currently underway by Caltrans and to inform other future planning efforts in the region.

Currently, SR-58 is a major east-west four-lane freeway/expressway and two-lane conventional highway running a total of 240 miles from SR-101 on the Central Coast near San Luis Obispo east to I-15 in Barstow. From the I-5 in Kern County to the I-15 in San Bernardino County, SR-58 serves as the westerly extension of I-40, providing the only transcontinental interstate connection to the Central Valley. SR-58 crosses three major north-south routes including I-5 and SR-99 near Bakersfield and US-395 at Kramer Junction. Within Kern County, approaching San Bernardino County, SR-58 is a four-lane freeway. Within San Bernardino County there are two segments of SR-58 that remain a two-lane conventional highway with uncontrolled access to streets, driveways and at grade crossings. No nearby highways parallel SR-58 in San Bernardino County.

SANBAG desires to have the selected consultant develop a Origin and Destination Truck Study for SR-58 from I-5 near Bakersfield to I-15 in Barstow, to include portions of US-395, I-15, and SR-14. This study area is to include:

1. SR-58 in Kern and San Bernardino Counties from I-5 to I-15, including traffic through the SR-58/I-5 and SR-58/I-15 interchanges.
2. US-395 from I-15 to SR-58 in San Bernardino County.
3. I-15 from US-395 to and through the I-15/I-40 interchange.
4. SR-14 from SR-58 to US-395 in Kern County including traffic through the SR-58/SR-14 and SR-14/US-395 interchanges.

It is expected that the Study will begin in October 2007 and be completed by May 2009.

Task 1 – Project Management

The consultant shall manage project tasks, submit written monthly progress reports with invoices, and schedule bi-weekly phone calls with the SANBAG project manager. The monthly progress report shall document specific accomplishments of each task, identify percent completion by task, difficulties encountered, and any adjustments recommended in the project schedule.

Consultant will be responsible for scheduling, coordinating and preparing all of the necessary materials for Technical Advisory Committee (TAC) meetings throughout the duration of the project. TAC meetings will be held every other month, alternating between SANBAG and Kern COG. The consultant shall prepare meeting minutes that document all of the major points and actions taken at each TAC meeting and provide those notes to the SANBAG project manager within five days following each meeting.

Within one month from the time SANBAG issues the notice to proceed, the consultant will be required to coordinate the project kick-off meeting with all of the stakeholders present. It is anticipated that the consultant will make two presentations on the final report to both the SANBAG and the Kern COG Boards of Directors. In addition, the consultant will make a presentation on the final report at one of the Eastern California Planning Partnership quarterly meetings that will be held in either Kern County or San Bernardino County.

The consultant shall maintain all electronic and hard copy files pertaining to the project and shall provide SANBAG with an electronic version of all reports, technical memos, and backup data prior to completion of the study. This shall include a PDF version of the final report. The consultant and subconsultants shall maintain consistent quality control procedures.

Deliverables:

- Monthly progress reports;
- Project Kick-off meeting;
- Brief meeting notes and action items from the TAC meetings;
- Three project presentations—SANBAG, Kern COG, ECTPP;
- Additional informational materials that can be posted on SANBAG's web site, as appropriate.

Task 2: Literature Review and Data Collection

Consultant will gather existing literature or data related to the study and study area relative to goods movement on the SR-58 corridor, specifically any previous technical studies regarding traffic flow and truck routing. Consultant will review information and summarize pertinent points in the final report. In addition, the Consultant should coordinate with the Southern California Association of Governments

(SCAG) to identify how the data to be acquired in this effort can assist in the refinement of the SCAG heavy duty truck model.

Deliverables:

- Detailed bibliography relevant to goods movement on the SR-58 corridor;
- Summary of information included in final report.

Task 3: Survey Questionnaire and Distribution Methodology

In consultation with the TAC and the California Highway Patrol, the Consultant will develop a commercial vehicle commodity/origin-destination (O & D) survey questionnaire and methodology for distribution. The survey instrument will capture data and information approved/requested by the TAC. It is expected that the surveys will be conducted through personal interviews with truck drivers at strategic roadside locations. Alternate methodologies may be proposed as long as adequate, unbiased samples can be obtained with complete information. At a minimum, the survey will include:

1. Postal zip codes of the origin and destination of the trip
2. Truck type
3. Number of axles
4. Date and time
5. Current weather conditions
6. Name of surveyor
7. Location of the survey
8. Commodity in transit by 4 digit commodity code, including empty containers
9. Value of the commodity
10. Facility type at both ends of the trip
11. Last stop and next stop
12. Full Load or Less Than Load (LTL) or Empty
13. Vehicle weight
14. Model and year of vehicle

A pilot test of the survey methodology will be conducted to demonstrate that the information can be collected using the methodology proposed.

Deliverables:

- A commodity/O & D survey questionnaire approved by the TAC;
- Working papers for documenting the commodity/O & D survey methodology;
- Report on results of the pilot test.

Task 4: Ramp and Intersection Classification County

Consultant will conduct classification counts at key interchange and intersection locations in the study area. The purpose of the counts is to gain insights into route choices by truck drivers at these key points of interchange. The counts will be used in combination with the surveys to develop an understanding of truck travel patterns and route choices in the subregion. The counts will be conducted from at least 6 to 9 a.m., 11 a.m. to 2 p.m., and 4 to 7 p.m. on a typical weekday. Trucks will be classified by 2-axle, 3-axle, 4-axle, and 5-axle for these counts unless mutually agreed otherwise by the Consultant and the TAC. The consultant will secure all equipment, materials, permits and permission to conduct the necessary data collection. All movements at up to 10 interchange/intersection locations will be counted, including I-5/SR-58, SR-99/SR-58, SR-58/US-395, SR-58/I-15, I-15/I-40, SR-58/SR-14, SR-14/US-395, and I-15/US-395. Exact survey locations are to be coordinated with the TAC, Caltrans, and the California Highway Patrol.

Deliverables:

- An illustrated summary of the travel patterns at each location including tables, graphs, and maps
- An electronic copy of the raw and edited data

Task 5: Truck Axle Surveys and Vehicle Classification

In consultation with the TAC, the consultant will conduct truck axle surveys and vehicle classification counts for up to 18 locations in the study area, with a high concentration of locations in San Bernardino County. The consultant will secure all equipment, materials, permits and permission to conduct the necessary data collection. The counts will be for a minimum of seven consecutive days and will take place in the same general timeframe as the surveys. Exact survey locations are to be coordinated with the TAC, Caltrans, and the California Highway Patrol.

Deliverables

- Excel spreadsheet for each count location showing vehicle classification totals for each hour of the day
- A map depicting a summary of the vehicle classification volumes

Task 6: Implement Truck Driver Survey Developed in Task 3

Consultant will conduct a detailed commercial truck driver survey to gain information on commodities being hauled, origin and destination of trip, and other relevant issues of concern based on the methodology developed in Task 3. It is anticipated that a minimum of 1200 completed surveys will be required. Surveys will be conducted continuously over a 48-hour period, unless an alternate time frame is mutually agreed to by the Consultant and TAC. The consultant will secure all equipment, materials,

permits and permission to conduct the necessary data collection. Up to six locations will be identified for truck driver surveys, with surveys to be conducted in each direction of travel at each of the four locations. Offset locations may be required when suitable sites cannot be found to accommodate both directions of travel.

In addition, a survey will be conducted of various trucking and distribution companies via phone. The purpose of the survey is to gain additional insight into the actual operation of trucking companies and distribution firms in the subregion. The survey will include information such as size and characteristics of fleet, frequency of trips, commodities shipped, customer/market locations, primary routes used, etc. The Consultant will develop the draft questionnaire to be reviewed by the TAC. Industrial, warehouse, and logistics firms will be identified along the routes within the subregion. It is anticipated that up to 50 firms will be interviewed ranging in size.

Deliverables:

- Analysis and summary of truck driver survey results;
- Analysis and summary of trucking company results.

Task 7: Prepare Final Documentation

Consultant will prepare draft report to be circulated among the TAC members for review and comments. After comments have been either addressed or incorporated into the draft report, the consultant will prepare the final report for the study. The consultant will be responsible for preparing digital copies of the final report and the preparation of a final presentation that will be used to present the report to Kern COG, SANBAG and the ECTPP. No fewer than one copy of the final report will be provided to each member of the TAC and fifty copies of the final report will be provide to Caltrans.

Task 7- Deliverables:

- Draft Report;
- Final Report;
- Electronic copies of all project documents in PDF;
- Electronic copy of the final presentation on the report.

The Final Report must include:

1. Formal cover with binding
2. Title page
3. Table of Contents (Include list of appendices)
4. Executive Summary
5. Introduction (Including the purpose of the Study)
6. Background Information
7. Methodology

8. Summary/Results of the study
9. Appendices / Maps (for supporting documentation)
10. Summary of the origin and destination study and its findings
11. Summary of the vehicle classification counts
12. Revisions and comments from The Department

Analysis and recommendations regarding commercial vehicle trends, volumes, routes and projections of future commercial truck trips in the study area

- San Bernardino County Transportation Commission ■ San Bernardino County Transportation Authority
■ San Bernardino County Congestion Management Agency ■ Service Authority for Freeway Emergencies

Minute Action

AGENDA ITEM: 11

Date: July 11, 2007

Subject: State Route 58 (SR-58) Origin and Destination Truck Study Request for Proposals

Recommendation:* Approve the release of Request for Proposals (RFP) No. 08014 for Development of the SR-58 Origin and Destination Truck Study.

Background: On June 6, 2007, the Board of Directors approved Contract No. 07251 with Caltrans wherein the State is to transfer an amount not to exceed \$250,000 to SANBAG for performance of an Origin and Destination Truck Study on SR-58.

A separate item in this agenda requests approval of a contract for Kern Council of Governments (COG) to provide SANBAG \$30,000 as their contribution to the SR-58 Origin and Destination Truck Study. An additional \$30,000 has been approved as part of the SANBAG FY 2007/2008 budgeted as a SANBAG contribution to the study, if required. SANBAG will serve as the contracting agency for the study and will manage the study in coordination with Caltrans and Kern COG. The SANBAG FY 2007/2008 budget has been amended to include all of the mentioned funding for this project in Task No. 94108000. This item requests approval to release RFP No. 08014 seeking consultant assistance to perform the study.

*

Approved
Board of Directors

Date: _____

Moved: _____ *Second:* _____

In Favor: _____ *Opposed:* _____ *Abstained:* _____

Witnessed: _____

The study will be a cooperative planning effort by SANBAG, Kern COG, Caltrans District 6 and Caltrans District 8 working with a consultant for the preparation of an origin and destination truck study for SR-58. The purpose of the study is to gain statistical information on the origin and destination of heavy duty trucks traveling between San Bernardino and Kern Counties and to better understand the types of cargo being transported by trucks. Information gained from this study will be used to inform the SR-58 project development activities currently underway by Caltrans and to inform other future planning efforts in the region, including the Southern California Associated Governments (SCAG) regional truck model. It is anticipated that the study will be completed in approximately eighteen months and will provide data crucial to better understanding a key interregional goods movement corridor in the State.

Proposals received as a result of this request will be evaluated by representatives of SANBAG, Kern COG and Caltrans based upon demonstrated competence and professional qualifications necessary for the performance of services. A contract will be negotiated with the selected proposer. It is anticipated that the contract will be presented to the Board of Directors for approval in October 2007.

Financial Impact: This item is consistent with the adopted FY 2007/2008 budget, Task No. 94108000, funded by a combination of State Public Transportation Account Funds, SANBAG Local Transportation Funds and funds contributed by Kern COG.

Reviewed By: This item was reviewed by the Mountain Desert Committee on June 15, 2007 (*Meeting Chaired by Rick Roelle*), and was unanimously recommended for approval. This item has been reviewed by SANBAG Council as to form. The Request for Proposals was developed in cooperation with Caltrans and Kern COG.

Responsible Staff: Ryan Graham, Transportation Planning Specialist

- San Bernardino County Transportation Commission ■ San Bernardino County Transportation Authority
■ San Bernardino County Congestion Management Agency ■ Service Authority for Freeway Emergencies

Minute Action

AGENDA ITEM: 12

Date: July 11, 2007

Subject: Legislative Update

Recommendation: *

1. Review existing SANBAG bill positions
2. Adopt the following bill positions:
 - a. Support AB 945 (Carter)
 - b. Oppose SB 375 (Steinberg)
 - c. Support SB 1028 (Padilla)

Background: *Existing SANBAG Bill Positions*

The state and federal legislative process is typically in progress January through September of each year. While SANBAG's legislative program helps provide support on opposition on general topics of concern, the board has adopted several formalized positions on specific pieces of legislation. Since February 2007, the SANBAG board has adopted the following:

AB 1373 (Emmerson) - SANBAG Position: Support

AB 1373 will provide design-build authority to improve interchanges in the Inland Empire that provide access to emergency medical centers. This bill was "held-over" in April to be a "2-year bill," meaning no further action will occur on this bill until the new legislative year.

Location: Assembly Transportation

*

Approved
Board of Directors

Date: _____

Moved: _____ *Second:* _____

In Favor: _____ *Opposed:* _____ *Abstained:* _____

Witnessed: _____

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AJR 14 (Jefferies) - SANBAG Position: Support

AJR 14 would memorialize the President and the Congress of the United States to enact legislation that will ensure that a substantial increment of new revenues derived from customs duties and importation fees be dedicated to mitigating the economic, mobility, security, and environmental impacts of trade in California and in other trade-affected states across the United States. This bill has passed in the Assembly and is currently scheduled for hearing in the Senate.

Location: Senate Third Reading

SB 445 (Torlakson)(amended 5/8) - SANBAG Position: Support

SB 445 would create the Road User Task Force, with 14 members appointed by the Legislature, Governor, California Transportation Commission, and city and county organizations and specified entities. The bill would require the task force to hold at least three public hearings around the state and to report to the Legislature and Governor by January 1, 2009, on alternatives to the current system of taxing road users through per-gallon fuel taxes.

Amendments to this bill expanded the size of the task force from 11 members to 14 members and expanded the membership composition to include "other specified entities." Recent amendments also specified compensation, which only entails reimbursement of expenses. SANBAG's position was taken prior to this amendment. This is a possible 2-year bill.

Location: Senate Appropriations

SCR 16 (Negrete-McLeod) - SANBAG Position: Support

SCR 16 will codify the Gary Moon Memorial Interchange at Route 30/I-215. This bill has passed in the Senate and is schedule for hearing on June 11, 2007 in Assembly Transportation.

Location: Assembly Appropriations

AB 1337 (Nava)(amended 5/16) - SANBAG Position: Oppose

AB 1337 would require employees of the California Department of Transportation to perform the construction management and engineering for all

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projects on the state highway system, including inspection, quality control inspection, surveying, materials testing and resident engineer functions. If passed, this bill will significantly change the manner in which SANBAG conducts business and may result in higher operational costs. This is a possible 2-year bill.

Location: Assembly Transportation

SB 540 (Harman) - SANBAG Position: Oppose

SB 540 would provide, for purposes of the law established by Proposition 42, that the terms "sales price" and "gross receipts" do not include the amount of any state and federal fuel taxes. If passed, this bill will eliminate the application of the sales tax on the excise tax at the pump. This bill was heard in committee and it was recommended to be heard again, but at time of print of this agenda item, no new hearing date has been set. This is a possible 2-year bill.

Location: Senate Revenue and Taxation

AB 633 (Galgiani)(amended 4/25/07) - SANBAG Position: Support

Recent amendments to AB 633 would require the Public Utilities Commission and the Department of Transportation to issue a joint public report to the appropriate policy and fiscal committees of the Legislature no later than September 1, 2008. The bill would require the report to include, among other things, an evaluation of the grade separation project funding program and recommendations for establishing a hardship application process allowing for the adjustment or deferral of local financial participation in severe circumstances. SANBAG's position was taken prior to this amendment being adopted.

Previously, this bill would have created the Rail Safety and Traffic Mitigation Bond Act of 2007, which would state the intent of the Legislature to enact legislation providing for a general obligation bond act in the amount of \$500,000,000 to be submitted to the voters for approval in order to provide funding for a program to eliminate the most dangerous railroad-highway grade crossings in the state, as identified by the Public Utilities Commission, with funds to be allocated by the California Transportation Commission.

Location: Senate Transportation and Housing

AB 1499 (Garrick) - SANBAG Position: Support

AB 1499 would authorize the California Department of Transportation (Caltrans) to use the design-build procurement process for its state highway construction contracts. If passed, the result of this legislation will broaden current law that provides for Caltrans to use design-build procurement for up to 12 transportation projects. This is a possible 2-year bill.

Location: Assembly Transportation

SB 56 (Runner)(amended 5/1) - SANBAG Position: Support

SB 56 would declare the intent of the Legislature to authorize a demonstration program that would allow a careful examination of the benefits and challenges of using a design-build method of procurement for transportation projects. SB 56 provides that until January 1, 2016, certain state and local transportation entities may use a design-build process for contracting on transportation projects and transportation projects can be selected by the California Transportation Commission (CTC). This bill also specifies a labor compliance program, implementation reports to the Legislature and CTC, and bidding procedures.

Recent amendments to SB 56 specify that only 10 design-build projects would be authorized. SANBAG's position was taken prior to current amendments being adopted. This is a possible 2-year bill.

Location: Senate Appropriations

SB 61 (Runner) - SANBAG Position: Support

At introduction, SB 61 was titled as a private public partnership bill. However, it is now referred to as a high-occupancy toll lanes and toll roads bill. This bill will extend the ability for the State Department of Transportation to apply with the California Transportation Commission to develop a value pricing program for toll roads.

Location: Assembly Transportation

SB 262 (Runner) - SANBAG Position: Support

SB 262 is a Proposition 1B (2006) implementation bill. This bill would require the commission, when allocating these funds to projects, to consider the impact of a project on goods movement and port operations in the Southern California region and the potential of a project to benefit the inland port concept in order to relieve congestion at and in the vicinity of the Port of Los Angeles and the Port of Long Beach. This is a possible 2-year bill.

Location: Senate Transportation and Housing

SB 947 (Hollingsworth)(amended 4/30) - SANBAG Position: Support

Originally, SB 947 (Hollingsworth) attempted to provide a CEQA exemption for expansion of an existing overpass, on-ramp, or off-ramp that is built on an easement or right-of-way already acquired. Although the board supported this bill, the City of Victorville has been voicing an opinion that this bill should be supported with amendments, and the amendments would be to include new interchanges and freeway lanes that would be built on existing right of way to the list of CEQA exemptions.

This bill has been amended and no longer deals with environmental exemptions. Instead, the bill requires transportation agencies to be consulted at least once during the CEQA scoping process for a new transportation facility and specifies that the scoping process consider the impact of a new facility on existing overpasses, off-ramps and on-ramps. This bill will most-likely become a two-year bill. SANBAG's position was taken prior to amendments were taken on this bill.

Location: Assembly Natural Resources

Discuss and adopt the following bill positions

a. Support - AB 945 (Carter)

This bill establishes an assessment process to evaluate the adequacy of the state's level of transportation funding. Please see the attached Assembly Floor Analysis for more information.

b. Oppose - SB 375 (Steinberg)

This bill requires that the California Transportation Commission (CTC) prepare and adopt by April 1, 2008, specific guidelines for the travel demand models used in the development of regional transportation plans by certain regional transportation planning agencies. Recent amendments added more clarification about the applicability of modeling requirements, as well as a more direct definition as to what entities it applies to (SANBAG is included). Finally, there is an exemption of the requirements for projects in the 2006 and 2008 STIP or funded by Proposition 1B programmed before December 31, 2011. Please see the attached Senate Floor Analysis for more information.

c. Support - SB 1028 (Padilla)

Requires the Air Resources Board (ARB), on and after January 1, 2008, to adopt and enforce every feasible rule and regulation pertaining to motor vehicle emissions that will lead to the state achieving the ambient air quality standards required by the federal Clean Air Act. According to the South Coast Air Quality Management District (SCAQMD), ARB has not taken all feasible actions necessary to meet federal air quality attainment. Conversely, ARB believes SCAQMD could do more to be more involved with enforcement. During the June Administrative Committee, board members noted that any successful attempts to increase enforcement will take a coordinated effort between both entities. SB 1028 is "supported" due to the critical need to regulate air quality and meet federal standards for PM 2.5, Nitrogen Dioxide and Ozone. Please see the attached Senate Floor Analysis for more information.

Additional State Information

June 8, 2007 marked the date that bills needed to pass out of its house of origin, meaning an Assembly bill must pass out of the Assembly and Senate bills must pass out of the Senate, to continue through the legislative process. Bills that do not pass out of its house of origin may be considered in the next legislative year as a "2-year bill."

The attached bill matrix is intended as a reference. Bills listed in this matrix are currently being monitored by our Sacramento advocates.

- Financial Impact:*** The recommended action is consistent with the SANBAG 2006-2007 FY Budget.
- Reviewed By:*** This item was reviewed by the Administrative Committee on June 13, 2007, (*Meeting Chaired by Lawrence Dale*), and was recommended for approval.
- Responsible Staff:*** Jennifer Franco, Director of Intergovernmental and Legislative Affairs

Assembly Third Reading Bill Analysis for AB 945 (Carter)

ASSEMBLY THIRD READING
AB 945 (Carter)
As Amended April 26, 2007
Majority vote

SUMMARY: Requires the California Transportation Commission (CTC) to develop an assessment of transportation funding and needs, as prescribed, every five years. Specifically, this bill:

- 1) Requires CTC, on an every five-year basis, to assess the following:
 - a) The total costs of programmed state transportation projects and federally earmarked projects in the state, including projects in the program (STIP), the Traffic Congestion Relief Program (TCRP), and projects specifically identified for funding in the federal Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) or other federal laws;
 - b) The unfunded portions of programmed state and federally earmarked projects;
 - c) Total funding provided from state and federal sources for transportation projects; and,
 - d) Statewide unmet transportation project needs.
- 2) Provides that, in conducting the assessment, CTC is to consult with the Department of Transportation (Caltrans) and regional transportation planning agencies (RTPAs).
- 3) Results from the initial assessment are to be submitted in a report to the Legislature on or before July 1, 2008, and every five years thereafter.

EXISTING LAW:

- 1) Creates CTC and makes it responsible for programming allocating funds for the construction of transportation projects in the state.
- 2) Requires, by August 15 of each odd-numbered year, CTC to adopt a five-year estimate, in annual increments, of all state and federal funds reasonably expected to be available during the following five fiscal years.
- 3) Requires each RTPA to prepare and adopt a regional transportation plan (RTP). The plan is to be action-oriented and pragmatic and consider both short-term and long-term policy guidance. RTPs are to include:
 - a) A policy element that describes the transportation issues in the region, identifies and quantifies regional needs, and describes the desired short-range and long-range (20 years) transportation goals;

- b) An action element that describes the programs and actions necessary to implement the plan and assigns implementation responsibilities. The action element may describe all projects proposed for development during the 20-year life of the plan;
- c) A financial element that summarizes the cost of implementation plan constrained by a realistic projection of available revenues; and,
- d) RTPs may, but are not required to, include needs assessments.

FISCAL EFFECT: According to the Assembly Appropriations Committee, moderate costs, approximately \$250,000 in 2007-08 and every five years thereafter, to CTC to develop the assessments required by this bill. (State Highway Account)

COMMENTS: This bill is consistent with a 2004 recommendation for legislation by the Legislative Analyst's Office (LAO). In its recommendation, the LAO cites: "The first step in identifying a solution to a problem is identifying the scope of the problem. Yet, when it comes to transportation, there is currently no requirement that Caltrans or any other state entity assess and report on the state's overall transportation needs on a regular basis."

"While Caltrans and RTPAs must regularly update funding and scheduling documents, such as the State Transportation Improvement Program and the State Highway Operation and Protection Program, these documents provide no information about unfunded needs. Similarly, RTPAs are required to adopt 20-year long-range planning documents under both state and federal law, but these documents are not compiled to provide a view of the state's needs as a whole."

In 1999, CTC released the "Inventory of Ten-Year Funding Needs for California's Transportation Systems." The study was completed in response to SR8 (Burton) and noted the following:

"The report demonstrates substantial unfunded need for reinvesting in California's existing transportation system. It also demonstrates the substantial funding requirements to expand those systems, both through lower cost operational improvements and through more costly capacity increases. These costs, while substantial, reflect the challenges of aging transportation systems and "catching up" with three decades of population growth that out-paced highway and roadway capacity increases by a factor of over two and growth in vehicle miles traveled that have out-paced population by a factor of nearly three."

CTC indicated that in compiling its 1999 report, it contacted nearly 1,000 transportation agencies in the state by questionnaire and individual inquiries, and it computed the state's 10-year funding needs for transportation purposes exceeded \$100 billion. Furthermore, CTC emphasized that "the (1999) report is essentially limited to a compilation of surveys. It does not offer a tightly integrated, prioritized, planning exercise. The various surveys have not been normalized for compatibility. Rather, the responses from all respondents have been summarized and assembled."

Previous legislation: Last session, Senator Torlakson introduced SB 275 that would have required CTC to submit a 10-year needs assessment plan on the state's transportation system to the Legislature, on or before October 1, 2006, and on a 10-year rolling basis thereafter. According to previous committee analyses, the author introduced this bill due to shortcomings of the 1999 analysis and the continued serious shortfalls in transportation funding and infrastructure deterioration in which CTC asserted in its (then) most recent annual report that "California's transportation program is in crisis and on the verge on collapse."

SB 275 was ultimately vetoed by the Governor. In his veto message, he wrote: "Californians do not need yet another report to tell them that the state's transportation needs are great. My Administration sponsored legislation this year which would have significantly improved the delivery of transportation projects. However, the Legislature failed to pass any of the three bills that encompassed this package. Time and money would be better spent actually rebuilding California's infrastructure rather than reporting on it."

Writing in support of this bill, the California Transit Association (CTA) asserts that the state's transportation needs have neared \$200 billion and that, even with the influx in transportation dollars as a result of passage of Propositions 1A, transportation needs continue to go unmet. CTA suggests that a needs assessment is necessary to not only reduce traffic congestion but also in trying to improve air quality statewide.

Analysis Prepared by: Janet Dawson / TRANS. / (916) 319-2093

FN: 0001142

Senate Third Reading Bill Analysis for SB 375 (Steinberg)

THIRD READING

Bill No: SB 375
Author: Steinberg (D)
Amended: 6/4/07
Vote: 21

SENATE ENV. QUALITY COMMITTEE: 5-2, 4/23/07
AYES: Simitian, Florez, Kuehl, Lowenthal, Steinberg
NOES: Runner, Aanestad

SENATE APPROPRIATIONS COMMITTEE: 10-6, 5/31/07
AYES: Torlakson, Cedillo, Corbett, Florez, Kuehl, Oropeza, Ridley-Thomas, Simitian, Steinberg, Yee
NOES: Cox, Aanestad, Ashburn, Dutton, Runner, Wyland
NO VOTE RECORDED: Battin

SUBJECT: Transportation planning: travel demand models: environmental review

SOURCE: California League of Conservation Voters Natural Resources Defense Council

DIGEST: This bill requires that the California Transportation Commission (CTC) prepare and adopt by April 1, 2008, specific guidelines for the travel demand models used in the development of regional transportation plans by certain regional transportation planning agencies. This bill requires the Department of Transportation to assist the CTC in the preparation of the guidelines, if requested to do so by the CTC. This bill also requires the Air Resources Board to provide each region with greenhouse gas emission reduction targets for 2020 and 2050.

ANALYSIS:

Existing law:

1. Establishes the CTC and sets various duties and procedures for the CTC [(Section 14500 et seq. of the Government Code (GOV))].
2. Establishes the Department of Transportation (Caltrans), with various responsibilities.
3. Designates regional transportation planning agencies (RTPAs) (GOV Section 29532.1) and provides for formation of a local transportation planning commission (GOV Section 29532).
4. Under Long Range Transportation Planning Law (GOV Section 65070 et seq.), requires the California Transportation Plan to include policy, strategies, and recommendations elements; requires Caltrans to prepare a federal transportation improvement program and annually submit the program to the United States Secretary of Transportation.

5. Under Transportation Planning and Programming Law (GOV Section 65080 et seq.):

A. Requires RTPAs to prepare and adopt a regional transportation plan that contains a policy element, action element, and financial element.

B. Authorizes RTPAs to designate special corridors, requires preparation of a five-year regional transportation improvement program (RTIP), authorizes Caltrans to prepare a project studies report for capacity-increasing highway projects, and requires Caltrans to prepare guidelines for project studies by other entities.

6. Under Congestion Management Law (GOV Section 65088 et seq.), authorizes a city or county to designate an infill opportunity zone that must be consistent with any general plan and specific plan.

7. Under the California Environmental Quality Act (CEQA) (Section 21000 et seq. of the Public Resources Code), requires lead agencies with the principal responsibility for carrying out or approving a proposed discretionary project to prepare a negative declaration, mitigated declaration, or environmental impact report for this action, unless the project is exempt from CEQA (CEQA includes various statutory exemptions, as well as categorical exemptions in the CEQA guidelines).

This bill:

1. Requires the CTC to adopt guidelines by April 1, 2008 for the use of travel demand models in regional transportation plans (RTPs) that would assess the impact of certain policy choices for (a) federally designated metropolitan organizations, (b) county transportation agencies in areas that have been designated as nonattainment areas (c) in the counties of Imperial, Los Angeles, Orange, Riverside, San Bernardino, and Ventura, the agency Southern California Association of Governments.

2. Requires large RTPAs to incorporate the regional travel demand model into RTPs, as specified in the CTC guidelines, and report to CTC on how the model supports corridor and small area planning.

3. Requires RTPAs to develop a "preferred growth scenario" (PGS) that is consistent with the state planning priorities, identifies sufficient housing for all populations in the region, identifies significant resource and farmland in the region that would be excluded from development, complies with the federal Clean Air Act, inventories the region's greenhouse gas emissions, and establishes measures to reduce these emissions. The PGS would be included into the RTP.

4. Requires projects and improvements that are included in the RTIP to be consistent with the RTP and PGS in order to receive funding after January 1, 2009.

5. Authorizes exemptions from specified CEQA requirements for certain projects within an eligible local jurisdiction that has amended the

general plan so that the land use, circulation, housing, and open space elements are consistent with the PGS.

6. Exempt projects programmed in the 2006 and 2008 State Transportation Improvement Program, as well as specified bond-funded projects, from the requirement of consistency with the RTP and PGS in order to receive funding as of January 1, 2008.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: Yes

According to the Senate Appropriations Committee:

SUPPORT: (Verified 6/1/07)

California League of Conservation Voters (co-source)
Natural Resources Defense Council (co-source)
American Farmland Trust
American Lung Association
California Coalition for Rural Housing
Coalition for Clean Air
Defenders of Wildlife
Environment California
New Voice of Business
Planning and Conservation League
Southern California Association of Governments
Trust for Public Land

OPPOSITION: (Verified 6/1/07)

Associated General Contractors of California
California Building Industry Association
California Business Properties Association
California Chamber of Commerce
California Hotel and Lodging Association
California Major Builders Council
California Manufacturers and Technology Association
California Retailers Association
Consulting Engineers and Land Surveyors of California
County of San Diego
Department of Finance
Inland Empire Transportation Council
Orange County Business Council
Resource Landowners Coalition
Transportation California

ARGUMENTS IN SUPPORT: According to the author, "Current planning models used for transportation decisions and air quality planning must be improved to assess policy choices. This includes encouraging more compact development patterns, expanding transit service, creating communities, and providing incentives. It is also necessary to achieve significant greenhouse gas reductions from changed land use patterns and improved transportation to meet AB 32 standards." The author notes that housing choices, shorter commutes, reduced climate emissions, less air pollution, less fossil fuel consumption, and greater conservation of farmlands and habitat."

ARGUMENTS IN OPPOSITION: According to the Department of Finance they are opposed to this bill for the following reasons:

"The bill could result in a potentially costly reimbursable state mandate by requiring local agencies to either alter existing travel models or acquire new travel models to include new assumptions.

"Few or none of the existing models currently in use by RTPAs could comply, so most or all would need to either reprogram existing models or develop new models.

"It is possible that substantial data collection would be required in order to develop the new formulas in these models and to populate them with data on local attributes. Development of improved models is underway by Caltrans and several other agencies. There is no accepted best practice at present and further research efforts are needed before any new modeling technique is mandated."

TSM:mw 6/5/07 Senate Floor Analyses

SUPPORT/OPPOSITION: SEE ABOVE

**** END ****

Senate Third Reading Bill Analysis for SB 1028 (Padilla)

THIRD READING

Bill No: SB 1028
Author: Padilla (D), et al
Amended: 6/4/07
Vote: 21

SENATE ENV. QUALITY COMMITTEE: 5-1, 4/16/07
AYES: Simitian, Florez, Kuehl, Lowenthal, Steinberg
NOES: Runner
NO VOTE RECORDED: Aanestad

SENATE APPROPRIATIONS COMMITTEE: 10-6, 5/31/07
AYES: Torlakson, Cedillo, Corbett, Florez, Kuehl, Oropeza, Ridley-Thomas, Simitian, Steinberg, Yee
NOES: Cox, Aanestad, Ashburn, Dutton, Runner, Wyland
NO VOTE RECORDED: Battin

SUBJECT: State Air Resources Board: regulations: ambient air quality standards

SOURCE: South Coast Air Quality Management District

DIGEST: This bill requires the State Air Resources Board (ARB) in adopting rules and regulations pursuant to specified provisions of law concerning motor vehicles to ensure that these rules and regulations are sufficient, in conjunction with measures adopted by the ARB, the districts, and the United States Environmental Protection Agency, to achieve ambient air quality standards, and if necessary to carry out this duty, to adopt and enforce rules and regulations that require the development of new technologies or the improvement of existing technologies. The bill also requires, commencing on and after January 1, 2008, the ARB to adopt and enforce every feasible rule and regulation authorized under specified provisions of law concerning motor vehicles as expeditiously as feasible, as defined.

ANALYSIS:

Existing law:

1. Under the Federal Clean Air Act, the United States Environmental Protection Agency is required to establish national ambient air quality standards for criteria air pollutants. State and local agencies are responsible for instituting emission reduction measures to attain the standards under the Clean Air Act through their State Implementation Plan. The state is generally responsible for regulating mobile source emissions and local air quality management districts are generally responsible for regulating stationary source emissions.

2. Requires air quality management districts (AQMDs) to adopt and enforce all feasible measures necessary to meet air quality standards.

This bill:

1. Requires the Air Resources Board (ARB), on and after January 1, 2008, to adopt and enforce every feasible rule and regulation pertaining to motor vehicle emissions that will lead to the state achieving the ambient air quality standards required by the federal Clean Air Act.

2. Defines "feasible" to mean capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors.

3. Requires the ARB, in adopting rules and regulations pursuant to Section 43013 of the Health and Safety Code, (motor vehicle emission standards) to ensure these rules and regulations are sufficient in conjunction with measures adopted by the ARB, the districts, and the United States Environmental Protection Agency, to achieve ambient air quality standards, required by the federal Clean Air Act in all areas of the state by applicable attainment data, and to maintain these standards thereafter.

4. Specifies if necessary to carry out its duties under this bill, the ARB is to adopt and enforce rules and regulations that require the development of new technologies or the improvement of existing technologies. The rules and regulations shall require technology that the state board finds and determines can likely be made available by the compliance date set forth in the rule.

5. Requires the ARB to adopt these measures if they are technologically feasible and cost effective. Stipulates that a measure is cost effective if it is within the range of cost-effectiveness of mobile and stationary measures contained in the applicable air quality plan.

Comments:

According to SCAQMD, the following are examples of cases where it believes the ARB has not taken all feasible actions necessary to meet federal air quality attainment in the:

1. Urban Transit Bus Rule

When ARB adopted this regulation in 2000, the SCAQMD testified that the South Coast needed the maximum reductions from urban buses and wanted ARB to require alternative fuel buses in the South Coast. ARB indicated that SCAQMD can adopt more stringent local rules. (SCAQMD adopted a fleet rule for transit buses in 2000.) ARB had to amend its rules twice to provide relief to transit agencies on the diesel path since rule-compliant diesel engines were not available.

2. Refuse Collection Fleet Rule

ARB's existing regulation does not cover transfer vehicles, which represent about 1/3 of the refuse fleet in operation in the South Coast. These vehicles are typically Class 7 or 8 over-the-road trucks and, historically, do not have an alternative fuel version.

ARB indicated that these vehicles will be covered as part of the Private Fleet Rule. This rulemaking is not scheduled to occur until early next year.

3. Cargo Handling Equipment

ARB's existing regulation does not cover all cargo handling equipment (e.g., rubber tire gantry), which may be electrified or converted to run on alternative fuels. The compliance schedule could be tightened to be similar to the Ports Clean Air Action Plan provision.

4. Sulfur Content in Gasoline Fuel

ARB is proposing to mitigate the air quality impacts from low-level blends of ethanol (permeation) by reducing the sulfur content in gasoline. ARB is suggesting lowering the content to 20 ppm from 30 ppm. This level is higher than the current diesel fuel sulfur content of 15 ppm. A sulfur content limit of 10 ppm is feasible and could provide additional NOx reductions.

5. ARB Proposed Mobile Source Control Strategy for the 2007 AQMP

ARB's proposed AQMP strategy does not provide sufficient emission reduction for the region to demonstrate attainment of the PM 2.5 standard by 2015. In March, 2007 ARB sent a request to USEPA requesting a five year extension on the PM 2.5 attainment standard. Later in the month ARB withdrew the request in response to opposition from the AQMDs and environmental groups. SCAQMD staff is proposing additional measures that ARB should consider in order to reach attainment.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: No

According to the Senate Appropriations Committee:

Fiscal Impact (in thousands)

<u>Major Provisions</u>	<u>2007-08</u>	<u>2008-09</u>
<u>2009-10 Fund</u>		
CARB new rules/regs/ potentially significant enforcement		unknown, Special*

*Motor Vehicle Fuel Account and the Air Pollution Control Fund

There is significant disagreement between the South Coast Air Quality Management District (SCAQMD) and CARB about the impacts this bill would have on CARB's costs. SCAQMD believes that the provisions of the bill should be absorbed within CARB's existing resources because the provisions of the bill are prospective. CARB believes that if this bill were to result in a higher standard or additional work than they are currently doing in the development of a regulation package, it would cost more. Therefore, staff has reduced the estimated cost of the bill from about \$780,000 annually, to unknown, potentially significant.

SUPPORT: (Verified 6/5/07)

South Coast Air Quality Management District (source)
California Air Pollution Control Officers Association
Southern California Association of Governments
San Gabriel Valley Council of Governments
City of Burbank

OPPOSITION: (Verified 6/5/07)

Department of Finance

ARGUMENTS IN SUPPORT : According to the South Coast Air Quality Management District (SCAQMD), the AQMD is the regional agency responsible for attainment of federal air quality standards. However, the AQMD only has authority over stationary sources of air pollution and very limited authority over mobile air pollution sources. Because the majority of emissions in the South Coast Basin come from mobile sources, the SCAQMD depends on ARB to do its part to control mobile sources of air pollution. If ARB does not adopt mobile source rules that include all feasible measures then the air district will likely fail to meet federal clean air standard and the region will face stiff federal sanctions. SCAQMD states that this bill simply requires that rules promulgated by ARB aimed at mobile sources are as stringent as feasible for the state to attain minimum air quality standards.

ARGUMENTS IN OPPOSITION: The Department of Finance is opposed to this bill for the following reasons:

"The bill contains costs in the millions of dollars without an appropriation or other funding to support these costs.

"It is unclear that the Air Board's existing regulatory process, in conjunction with increased efforts on the part of local air districts and the federal government, could not achieve the goal of the bill, attainment of federal CAA standards."

TSM:n1 6/5/07 Senate Floor Analyses

SUPPORT/OPPOSITION: SEE ABOVE

**** END ****

SANBAG legislation

May – June 2007

Bill #	Author	Description	Status	Position	Comments
AB 29 Amended 04/19/2007	Hancock (D. - Dist 14)	Infill development: incentive grants. Existing law, the Housing and Emergency Shelter Trust Fund Act of 2006, authorizes the issuance of bonds in the amount of \$2,850,000,000 pursuant to the State General Obligation Bond Law. Proceeds from the sale of these bonds are required to be used to finance various existing housing programs, capital outlay related to infill development, brownfield cleanup that promotes infill development, and housing-related parks. This bill would require certain of those funds, upon appropriation, to be made available to the Department of Housing and Community Development for the purposes of making infrastructure grants for construction or acquisition of capital assets, as defined, to qualifying cities, counties, and cities and counties. The bill would require a project to meet certain, listed criteria in order to be eligible for grant funding.	ASSEM 2 YEAR	Track	Refines criteria for housing bond allocation to locals.
AB 57 Amended 06/01/2007	Soto (D. - Dist 61)	Highways: Safe Routes to School construction program. Existing federal law contains appropriations for a number of programs related to projects for the improvement of highway safety and the reduction of traffic congestion, including projects for bicycles and pedestrian safety and traffic calming measures in high-hazard locations. Existing state law authorizes certain state and local entities to secure and expend the federal funds for these purposes, but provides for the repeal of these provisions on January 1, 2008. This bill would delete the January 1, 2008, repeal date for these provisions, thereby extending the provisions indefinitely, and would make related changes. This bill contains other existing laws.	ASSEM FLOOR	Track	Extends current the safe routes to school program indefinitely.
AB 99 Amended	Feuer (D. - Dist 42)	Vehicular air pollution control: clean alternative fuels. Existing law imposes various limitations on emissions	ASSEM 2 YEAR	Track	Mandates alternative fuels for CA auto fleet. This could have a devastating effect on transportation finance. Need

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04/10/2007		<p>of air contaminants for the control of air pollution from vehicular and nonvehicular sources. Existing law generally designates the State Air Resources Board as the state agency with the primary responsibility for the control of vehicular air pollution. Existing law requires the state board to establish, by regulation, various standards for gasoline and motor vehicle fuel. This bill would require the state board, by June 30, 2009, in consultation with the State Energy Resources Conservation and Development Commission, the State Water Resources Control Board, the Department of Food and Agriculture, and other relevant state agencies, to develop and adopt regulations that would become operative no later than January 1, 2010, that will ensure that commencing January 1, 2012, 50% of new passenger vehicles and light-duty trucks sold in California are clean alternative vehicles, as defined, and that commencing January 1, 2020, all new passenger vehicles and light-duty trucks sold in California are clean alternative vehicles. The bill would require the state board to submit a report to the Legislature on the progress passenger vehicle and light-duty truck manufacturers have made in meeting these requirements, the progress the state has made in increasing the use of alternative fuels and reducing the state's dependence on imported petroleum and petroleum fuels, and any improvements in public health and the environment attributable to the use of clean alternative fuels. This bill contains other related provisions and other existing laws.</p>				to develop a state plan regarding alternative fuel revenues.
AB 133 Amended 03/27/2007	Garcia (R - Dist 80)	<p>Economic develop capital investment incentive programs: powerplants. Existing law establishes the capital investment incentive program that authorizes a local government to pay a capital investment incentive amount, as defined, to a proponent of a qualified manufacturing facility, including what types of business operate the facility. This bill would include within those types of business, a business engaged in the operation of a powerplant used for the production of electricity from one or more specified energy sources.</p>	ASSEM 2 YEAR	Track		

AB 256 Amended 04/25/2007	Huff (R. - Dist 60)	<p>Highway Users Tax Account: appropriation of funds.</p> <p>Article XIX of the California Constitution requires revenues from state excise taxes on motor vehicle fuels for use in motor vehicles upon public streets and highways, over and above the cost of collection and any refunds authorized by law, to be used for various street and highway purposes and for certain mass transit guideway purposes. Existing law requires state excise fuel tax revenues to be deposited in various accounts and to be allocated, in part, for various purposes, including the cost of collection and authorized refunds. Existing law requires the balance of these funds remaining after authorized deductions to be transferred to and deposited monthly in the Highway Users Tax Account in the Transportation Tax Fund. Existing law provides for formula apportionment of specified revenues in the Highway Users Tax Account to cities and counties for the transportation purposes authorized by Article XIX of the California Constitution, and generally requires the remaining revenues to be transferred to and deposited in the State Highway Account in the State Transportation Fund. Existing law provides that the money in the Highway Users Tax Account is appropriated for the above-described transportation purposes, but also generally provides that the money in the State Highway Account may not be expended until appropriated by the Legislature. This bill, in any year in which the Budget Act has not been enacted by July 1, would provide that all moneys in the Highway Users Tax Account in the Transportation Tax Fund from the prior fiscal year are continuously appropriated and may be encumbered for certain purposes until the Budget Act is enacted. The bill would thereby make an appropriation. The bill would authorize the Controller to make estimates in order to implement these provisions.</p>	HOLD ON ASSEM APPR. SUSPENSE FILE	Watch	This bill would permit state safety and rehabilitation projects to continue to be funded during state budget impasses.
AB 373 Amended 04/23/2007	Wolk (D. - Dist 8)	<p>Local government: the Mello-Roos Community Facilities Act of 1982.</p> <p>Existing law, the Mello-Roos Community Facilities Act of 1982, permits a local agency to initiate proceedings to establish a district if it has first considered and adopted local goals and policies,</p>	SENATE L. GOV.	Track	Overhauls Mello-Roos act.

AB 387 Amended 04/17/2007	Duvall (R - Dist 72)	including, among others, a statement of the priority that various kinds of public facilities have for financing, as specified. This bill would revise this statement to include the priority that services, in addition to public facilities, have for financing. This bill contains other related provisions and other existing laws.	ASSEM 2 YEAR	Track	Pertains to limited design-build authority for transit agency projects that install transit security equipment.
AB 412 Amended 03/26/2007	Smyth (R - Dist 38)	Design-build: transit contracts. Existing law authorizes, until January 1, 2011, transit operators to enter into a design-build contract, as defined, according to specified procedures. Existing law requires a transit operator to select a design-build entity based on either the lowest responsible bidder or best value for nonrail transit projects that exceed \$2,500,000. This bill would provide that the prequalification process is optional for technology or surveillance procurements designed to enhance safety, disaster preparedness, and homeland security efforts under \$5,000,000. The bill would provide that there would be no cost threshold for the acquisition and installation of technology applications or surveillance equipment designed to enhance safety, disaster preparedness, and homeland security efforts, and would allow those projects to be awarded based on either the lowest responsible bidder or best value.	ASSEM 2 YEAR	Track	A Prop 1B trailer bill. Requires project delivery deadlines for bond funded programs.
AB 575 Amended 05/01/2007	Arambula (D. - Dist 31)	Transportation: project deadlines. Proposition 1B, approved by the voters at the November 2006 general election enacts the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006, which authorizes the issuance of \$19.925 billion of general obligation bonds for various transportation programs. This bill, in order to ensure the timely use of bond funds, would require each agency designated by the bond act to allocate bond funds to establish guidelines that specify deadlines for commencing construction or implementation for each program it administers under the bond act.	HOLD ON ASSEM APPR. SUSPENSE FILE	Watch	A Prop 1B trailer bill. Would target air quality category of trade corridor funds be directed to projects that achieve most reduction.

<p>AB 633 Amended 04/25/2007</p>	<p>Galgiani (D. - Dist 17)</p>	<p>approved by the voters as Proposition 1B at the November 7, 2006, statewide general election and authorizes the issuance of \$19.925 billion of state general obligation bonds for specified purposes. The act requires that of the proceeds of the bonds issued and sold \$1,000,000,000 be made available upon appropriation by the Legislature to the State Air Resources Board for emission reductions, not otherwise required by law or regulation, from activities related to the movement of freight along California's trade corridors. This bill would require the state board to develop guidelines meeting specified requirements for the allocation of the \$1,000,000,000 in funding. The bill would, upon appropriation by the Legislature, require the state board to allocate funds on a competitive basis to projects and measures that are shown to achieve the greatest emission reductions from activities related to freight movement along California's trade corridors. The projects and measures would be required to result in emission reductions not otherwise required by law or regulation in effect as of November 8, 2006. The bill would specify that the funds only be used to implement strategies described in a required emissions reduction plan to be included in funding applications. The bill would require the state board to report annually to the appropriate fiscal and policy committees of the Legislature in writing and at scheduled legislative informational hearings on the status of the projects and measures being funded. The bill would require the costs the state board in administering the program to be paid in an appropriation in the annual Budget Act and would limit those costs to \$15,000,000 for the duration of program funding.</p>	<p>Grade separation projects Existing law requires the Public Utilities Commission to develop and maintain a priority list of railroad-highway grade crossings determined to be most urgently in need of separation or alteration. Existing law requires each annual proposed budget prepared by the Department of Transportation to include \$15,000,000 for grade separation projects. Existing law requires the California Transportation Commission to allocate available funding to projects</p>	<p>SENATE T & H</p>	<p>Support</p>	<p>Note: This bill is the same as AB 1209 (Kamette)</p>	<p>Greatly amended to require a report by 2008 on the PUC grade separation program.</p>
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		of pupils to and from school by common carrier or municipally owned transit system, or contracting with and paying responsible private parties for the transportation. Funding is provided in the annual Budget Act for that transportation, and school districts , county offices of education, and joint powers authorities receive allowances calculated by the Superintendent of Public Instruction according to statutory provisions as reimbursement for transportation costs that they incur . This bill would require the Superintendent, commencing July 1, 2008, in addition to all other apportionments for home-to-school transportation pursuant to specified statutory provisions, to apportion a supplemental home-to-school transportation allowance for school districts, county offices of education, and joint powers authorities. The Superintendent would be required to calculate a percentage local contribution in order to determine the amount of the supplemental allowance. This bill contains other related provisions.			
AB 784 Amended 04/24/2007	Karnette (D - Dist 54)	Transportation bonds. Proposition 1B, approved by the voters at the November 2006 general election, enacts the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006, which authorizes the issuance of \$19.925 billion of general obligation bonds for various transportation purposes. The act provides that a portion of the bond funds shall be available, upon appropriation, to the Office of Emergency Services to be allocated, as grants, for port, harbor, and ferry terminal security improvements. This bill, with respect to those bond funds to be allocated by the Office of Emergency Services, would, notwithstanding any other provision of law, provide that applicants need not comply with competitive bidding requirements. The bill would also make findings and declarations of the Legislature.	HOLD ON ASSEM APPR. SUSPENSE FILE	Watch	Prop 1B trailer bill. Focuses on the port security category and requires these funds to be used for projects ready to go by 2013.
AB 842 Amended 04/23/2007	Jones (D - Dist 9)	Regional plans: traffic reduction. Existing law authorizes the California Transportation Commission to establish guidelines for the preparation of regional transportation plans. This bill would require the commission to update its guidelines for the preparation of regional transportation plans,	ASSEM 2 YEAR	Track	Mandates 10% reduction in VMT of Trap's regional transportation plan.

		including a requirement that each regional transportation plan provide for a 10% reduction in the growth increment of vehicle miles traveled. This bill contains other related provisions and other existing laws.				
AB 867 Introduced 02/22/2007	Davis (D. - Dist 48)	<p>Transportation analysis zones. Existing law provides for the designation of transportation planning agencies in regions throughout the state with various transportation planning and other related responsibilities. Existing federal law provides for the designation of metropolitan planning organizations with various planning responsibilities, including certain transportation planning duties. Transportation planning activities of these entities, and in certain cases other entities such as county transportation commissions or authorities, include development of a regional transportation plan and a regional transportation improvement program. This bill would require each metropolitan planning organization and each transportation planning agency, as applicable, serving an area with a population in excess of 300,000, in developing the regional transportation plan, to factor the mobility of low-income and minority residents into its computer analysis of regional transportation analysis zones (TAZs) used to estimate travel behavior and traffic generation as part of the transportation demand model, and to make a direct comparison between low-income and nonlow-income TAZs and between minority and nonminority TAZs. The bill would require the results of the comparison to be published and made available to the public, and to be added as an addendum to the regional transportation plan. Because the bill would impose new requirements on local agencies, it would hereby impose a state-mandated local program. This bill contains other related provisions and other existing laws.</p>	ASSEM FLOOR	Track	Establishes requirements that MPOs and RTPAs to factor in low-income and minority mobility in computer modelling.	
AB 872 Amended 03/29/2007	Davis (D. - Dist 48)	<p>CEQA: urban infill affordable housing developments: exemption. (1) The California Environmental Quality Act requires a lead agency, as defined, to prepare, or cause to be prepared by contract, and certify the completion of,</p>	ASSEM 2 YEAR	Track	Provides an incentive for urban infill affordable housing by creating limited CEQA exemptions.	

AB 901 Amended 06/01/2007	Nunez (D. - Dist 46)	<p>an environmental impact report on a project, as defined, that it proposes to carry out or approve that may have a significant effect on the environment, or to adopt a negative declaration if it finds that the project will not have that effect. The act exempts from its provisions, among other things, certain types of ministerial projects proposed to be carried out or approved by public agencies, and emergency repairs to public service facilities necessary to maintain service. This bill would exempt an urban infill affordable housing development project of less than 300 units from the provisions of the act, if the project complies with all applicable local land use and zoning ordinances and regulations. Because the bill would impose new duties upon local agencies by requiring those agencies to determine the applicability of, and give notice of, that exemption, the bill would create a state- mandated local program . This bill contains other related provisions and other existing laws.</p>	<p>Transportation: Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006.</p> <p>Existing law, the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006 (Proposition 1B), authorizes \$19.925 billion of state general obligation bonds for specified purposes. The act requires that, among other things, \$3.6 billion of the proceeds from those bonds be deposited in the Public Transportation Modernization, Improvement, and Service Enhancement Account for allocation to public transit operators and transportation planning agencies by formula. This bill would require the Department of Transportation to provide the Department of Finance and the Assembly and Senate budget committees by September 30 of each year with information describing the total amount of verified project funding needed in the budget year and the amount required by each agency seeking funding. The bill would also require the department, on a quarterly basis, to provide the Controller with instructions regarding funds to be allocated to each sponsoring entity and would require the Controller to allocate those funds accordingly. The bill would define "sponsoring entity" and "eligible project" for purposes</p>	ASSEM FLOOR	Watch	Prop 1B trailer bill to govern allocation of the transit capital program.
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AB 945 Amended 04/26/2007	Carter (D. - Dist 62)	<p>of allocating these funds. The bill would require the California Transportation Commission to include information in its annual report to the Legislature regarding its activities relative to these funds. The bill would require certain legislative committees to hold an annual joint legislative hearing on the status of the implementation of Proposition 1B. The bill would also impose specified auditing requirements and enact other related provisions.</p> <p>Transportation needs assessment. Existing law creates the California Transportation Commission, with various duties and responsibilities relative to the programming and allocation of funds for transportation capital projects. Existing law requires the commission to submit, by December 15 of each year, an annual report to the Legislature summarizing the commission's prior-year decisions in allocating transportation capital funds, and identifying timely and relevant transportation issues facing the state. This bill would require the commission, on an every-5-year basis, to develop an assessment of the unfunded costs of programmed state projects and federally earmarked projects in the state, as well as an assessment of available funding for transportation purposes and unmet transportation needs on a statewide basis. The bill would require the commission to submit the first report by July 1, 2008.</p>	SENATE T & H	Recommend Support	Establishes an assessment process to evaluate the adequacy of the state's level of transportation funding.
AB 995 Amended 06/01/2007	Nava (D. - Dist 35)	<p>California Ports Infrastructure, Security, and Air Quality Improvement Account. Existing law, the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006, approved by the voters as Proposition 1B in the November 2006 general election, establishes the Highway Safety, Traffic Reduction, Air Quality, and Port Security Fund of 2006 in the State Treasury. Specified moneys in the fund are required to be deposited in various accounts to be available upon appropriation by the Legislature, for certain purposes. This bill would require projects funded from proceeds of bonds issued under the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006 to meet specified requirements. The bill would require projects that have the highest benefits</p>	ASSEM FLOOR	Watch	Prop 1B trailer bill to provide overall guidance in the allocation of the proceeds to maximize the long-term value of the investment.

AB 1053 Amended 06/01/2007	Nunez (D. - Dist 46)	<p>compared to cost be given priority for funding from bond proceeds , except in certain circumstances . The bill would also require the California Transportation Commission to report to the Legislature on the administration of programs under the bond act.</p> <p>Regional Planning, Housing, and Infill Incentive Account; programs. The Housing and Emergency Shelter Trust Fund Act of 2006 authorizes the issuance of bonds in the amount of \$2,850,000,000 pursuant to the State General Obligation Bond Law. Proceeds from the sale of these bonds are required to be used to finance various existing housing programs, capital outlay related to infill development, brownfield cleanup that promotes infill development, and housing-related parks. The act establishes the Housing and Emergency Shelter Trust Fund of 2006 in the State Treasury, requires the sum of \$850,000,000 to be deposited in the Regional Planning, Housing, and Infill Incentive Account, which the act establishes in the fund, and makes the money in the account available, upon appropriation, for infill incentive grants for capital outlay related to infill housing development and other related infill development, and for brownfield cleanup that promotes infill housing development and other related infill development consistent with regional and local plans, subject to the conditions and criteria that the Legislature may provide in statute. This bill would require the sum of \$100,000,000 to be transferred, upon appropriation, from the account to the California Pollution Control Financing Authority for the authority's California Recycle Underutilized Sites (CALReUSE) program established under specified state regulations, to be expended for brownfield cleanup that promotes infill housing development, and for other, related development, consistent with regional and local plans. This bill contains other related provisions.</p>	ASSEM FLOOR	Watch	<p>Delays expenditures of Prop 1C funds by imposing a request for preparation of a strategic plan first. Amended in Assembly Approps. to allocate Prop 1C funds as follows:</p> <ul style="list-style-type: none"> • \$100 million for Brownfield cleanup. • \$200 million for loans. • \$350 million for TOD grants.
AB 1091 Amended 06/01/2007	Bass (D. - Dist 47)	<p>Transit-Oriented Development Implementation Program. The Housing and Emergency Shelter Trust Fund Act of 2006, authorizes the issuance of bonds in the amount of \$2,850,000,000 pursuant to the State</p>	ASSEM SECOND READING	Watch	<p>Revises Prop 1C allocation of grants to cities/counties to support higher density through more transit. Amended in Assembly Approps. To authorize 1C funds as loans to housing</p>

AB 1209 Amended 05/01/2007	Karnette (D. - Dist 54)	<p>General Obligation Bond Law. Proceeds from the sale of these bonds are required to be used to finance various existing housing programs, capital outlay related to infill development, brownfield cleanup that promotes infill development, and housing-related parks. The act establishes the Housing and Emergency Shelter Trust Fund of 2006 in the State Treasury, requires the sum of \$300,000,000 to be deposited in the Transit-Oriented Development Account, which the act establishes in the fund, and makes the money in the account available, upon appropriation, for expenditure under the Transit-Oriented Development Implementation Program, which is established under existing law under the administration of the Department of Housing and Community Development. This bill would substantially revise the housing requirements for grants for the provision of infrastructure necessary to support a higher density development project within close proximity to a transit station. This bill contains other related provisions and other existing laws.</p>	<p>of these bonds are required to be used to finance various existing housing programs, capital outlay related to infill development, brownfield cleanup that promotes infill development, and housing-related parks. The act establishes the Housing and Emergency Shelter Trust Fund of 2006 in the State Treasury, requires the sum of \$300,000,000 to be deposited in the Transit-Oriented Development Account, which the act establishes in the fund, and makes the money in the account available, upon appropriation, for expenditure under the Transit-Oriented Development Implementation Program, which is established under existing law under the administration of the Department of Housing and Community Development. This bill would substantially revise the housing requirements for grants for the provision of infrastructure necessary to support a higher density development project within close proximity to a transit station. This bill contains other related provisions and other existing laws.</p>	<p>ASSEM FLOOR</p>	<p>Watch</p>	<p>projects near transit station.</p>
		<p>State Air Resources Board: emission reduction projects and measures. Existing law creates the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006 to authorize \$19.925 billion of state general obligation bonds for specified purposes. The Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006 requires \$3,100,000,000 of these funds to be deposited in the California Ports Infrastructure, Security, and Air Quality Improvement Account within the Highway Safety, Traffic Reduction, Air Quality, and Port Security Fund of 2006, and requires \$1,000,000,000 of these funds to be made available, upon appropriation by the Legislature, to the State Air Resources Board for emissions reductions, not otherwise required by law or regulation, from activities related to the movement of freight along California's trade corridors. This bill would require the state board to develop guidelines meeting specified requirements for the allocation of the \$1,000,000,000 in funding. The bill would, upon appropriation by the Legislature, require the state board to allocate funds on a competitive basis to</p>			<p>Prop 1B trailer bill. Emphasis on the clean air category of the Trade Corridor component. Requires CARB to make allocations to projects that are in a mandated emission reduction plan.</p> <p>Note: This bill is the same as AB 575 (Arambula)</p>	

AB 1221 Amended 06/01/2007	Ma (D. - Dist 12)	<p>projects and measures that are shown to achieve the greatest emission reductions from activities related to freight movement along California's trade corridors. The projects and measures would be required to result in emission reductions not otherwise required by law or regulation in effect as of November 8, 2006. The bill would specify that the funds only be used to implement strategies described in a required emissions reduction plan included in funding applications. The bill would require the state board to report annually to the appropriate fiscal and policy committees of the Legislature in writing and at scheduled legislative informational hearings on the status of the projects and measures being funded. The bill would require the administrative costs of the state board to be paid in an appropriation in the annual Budget Act and limit those costs to \$15,000,000 for the duration of program funding.</p> <p>Transit village developments: tax increment financing. Existing law authorizes a city or county to create a transit village plan for a transit village development district. Existing law requires a transit village plan to include all land within not less than 1/4 mile of the exterior boundary of the parcel on which is located a transit station, as defined, and to include any 5 of the specified demonstrable public benefits. Existing law also encourages local, regional, and state plans to direct new development close to transit stations by providing financial incentives to implement these plans. This bill would allow a city or county that prepares a transit village plan, with the agreement with each government agency that operates every transit station in the transit village district, to engage in tax increment financing, as provided, to fulfill the goals of a transit development plan.</p>	ASSEM SECOND READING	Track	Authorizes tax increment funding to finance projects within a transit village.
AB 1252 Amended 05/02/2007	Caballero (D. - Dist 28)	<p>Housing-Related Parks Program. The Housing and Emergency Shelter Trust Fund Act of 2006 authorizes the issuance of bonds in the amount of \$2,850,000,000 pursuant to the State General Obligation Bond Law. Proceeds from the sale of these bonds are required to be used to finance various existing housing programs, capital outlay</p>	ASSEM THIRD READING	Watch	Creates a housing-related parks program within Prop 1C.

<p>AB 1253 Amended 04/17/2007</p>	<p>Caballero (D - Dist 28)</p>	<p>related to infill development, brownfield cleanup that promotes infill development, and housing-related parks. The act establishes the Housing and Emergency Shelter Trust Fund of 2006 in the State Treasury, requires the sum of \$200,000,000 to be deposited in the Housing Urban-Suburban-and-Rural Parks Account, which the act establishes in the fund, and makes the money in the account available, upon appropriation, for housing-related parks grants in urban, suburban, and rural areas, subject to the conditions and criteria that the Legislature may provide in statute. This bill would establish the Housing-Related Parks Program under the administration of the Department of Housing and Community Development. The bill would require the department to use funds allocated from the account, upon appropriation by the Legislature, to provide grants, in conjunction with the Department of Parks and Recreation, for the creation, development, or rehabilitation of community or neighborhood parks, to cities, counties, and counties that meet certain criteria and issue building permits for housing developments consisting of newly constructed units that are affordable to low- or very low income households. This bill contains other related provisions.</p>	<p>ASSEM THIRD READING</p>	<p>Watch</p>	<p>Sets aside \$90 million in Prop 84 for a new sustainable communities program.</p>
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AB 1254 Introduced 02/23/2007	Caballero (D. - Dist 28)	<p>planning grants and incentives for the development of specified regional and local land use plans, for grants and loans to local governments, councils of governments, and other public agencies for these purposes, subject to specified criteria developed by the Office of Planning and Research . This bill contains other related provisions.</p> <p>Property tax revenue allocations: ERAF reduction: affordable housing. Existing property tax law requires the county auditor, in each fiscal year, to allocate property tax revenue to local jurisdictions in accordance with specified formulas and procedures, and generally requires that each jurisdiction be allocated an amount equal to the total of the amount of revenue allocated to that jurisdiction in the prior fiscal year, subject to certain modifications, and that jurisdiction's portion of the annual tax increment, as defined. Existing property tax law also reduces the amounts of ad valorem property tax revenue that would otherwise be annually allocated to the county, cities, and special districts pursuant to these general allocation requirements by requiring, for purposes of determining property tax revenue allocations in each county for the 1992-93 and 1993-94 fiscal years, that the amounts of property tax revenue deemed allocated in the prior fiscal year to the county, cities, and special districts be reduced in accordance with certain formulas. It requires that the revenues not allocated to the county, cities, and special districts as a result of these reductions be transferred to the Educational Revenue Augmentation Fund (ERAF) in that county for allocation to school districts, community college districts, and the county office of education. This bill would, for the 2008-09 fiscal year and each fiscal year thereafter to the 2014-15 fiscal year, inclusive, require the county auditor to reduce the total amount of ad valorem property tax revenue otherwise required to be allocated to the county ERAF by the countywide affordable housing amount, as defined, and to increase the amount of ad valorem property tax revenue otherwise required to be allocated to a qualified local agency, as defined, by that agency's affordable housing amount. This bill would specify that a qualified local agency's affordable</p>	HOLD ON ASSEM APPR. SUSPENSE FILE	Track	Reallocates ERAF from schools to city/county that have implemented low-income housing with tax-exempt bonds.
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AB 1272 Amended 04/11/2007	Arambula (D. - Dist 31)	housing amount is equal to the ad valorem property tax revenue lost by the agency as a result of the granting of a specified exemption from property taxes for affordable housing developments for which certificates of occupancy are issued on or after January 1, 2008, as provided. This bill contains other related provisions and other existing laws.	HOLD ON ASSEM APPR. SUSPENSE FILE	Track	Requires the Infrastructure Bank to assist small communities in seeking funds.
AB 1322 Amended 05/24/2007	Duvall (R. - Dist 72)	Transportation: eminent domain. Existing law makes the Department of Transportation responsible for the construction of state highways and authorizes it to do any act necessary for the construction, improvement, maintenance, or use of highways under its jurisdiction, possession, or control. Under existing law, the department is authorized to acquire by eminent domain any property necessary for state highway purposes. This bill would require the department, for any property that the department is acquiring by eminent domain, to provide in a timely manner, a copy of all appraisals performed or obtained by the department to the owner of the property. The bill would require the owner of the property to provide a copy of those appraisals to the department if they are first provided to the property owner instead of the department.	SENATE RLS.	Watch	"Cut and amend" to apply to Caltrans eminent domain process by requiring appraisals be made available to property owners.
AB 1337 Amended 04/11/2007	Nava (D. - Dist 35)	State highway system: construction inspection functions. The California courts have interpreted the California Constitution as generally restricting the contracting out of state activities or tasks to the private sector, if	ASSEM 2 YEAR	Oppose	Mandates that Caltrans staff performs all construction management and engineering on highway projects including "self-help" projects amended to apply solely to construction

AB 1350 Amended 06/01/2007	Nunez (D - Dist 46)	<p>those activities or tasks may be adequately and competently performed by state employees. However, Article XXII of the California Constitution, adopted by the voters in 2000, allows the State of California to contract with qualified private entities for architectural and engineering services for all public works of improvement, extending to all phases of project development including permitting and environmental studies, rights-of-way services, design phase services, and construction phase services. This bill would require employees of the department to perform all of the construction inspection functions for all projects on the state highway system, including construction engineering, contract administration, quality control inspection, construction surveying, materials sampling and testing, and resident engineer functions.</p> <p>Transportation bond funds. Existing law, the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006, approved by the voters as Proposition 1B in the November 2006 general election, establishes the Highway Safety, Traffic Reduction, Air Quality, and Port Security Fund of 2006 in the State Treasury. Specified moneys in the fund are required to be deposited in the Transit System Safety, Security, and Disaster Response Account to be made available, upon appropriation by the Legislature, for capital projects that provide increased protection against a security and safety threat, and for capital expenditures to increase the capacity of transit operators to develop disaster response transportation systems. This bill would require these funds to be allocated to transit operators for eligible projects, as defined, based on various formulas, and would require funds to be allocated by the Office of Emergency Services in consultation with the Office of Homeland Security. An eligible applicant would be required to annually advise the Office of Emergency Services of the applicant's need for funding in the following fiscal year, and the office would submit a request to the Department of Finance and to the legislative budget committees in that regard. The bill would enact other related provisions .</p>	ASSEM FLOOR	Watch	<p>inspection; made a 2-year bill after PECC v. Kempton ruling.</p> <p>Prop 1B trailer bill. Requires OES and Caltrans to report on priorities for transit security category of Prop 1B prior to allocations.</p> <p>As amended, makes direct allocations to transit agencies for security investments.</p>
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<p>AB 1351 Amended 06/01/2007</p>	<p>Levine (D. - Dist 40)</p>	<p>Transportation: state-local partnerships Existing law, the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006, approved by the voters as Proposition 1B in the November 2006 general election, establishes the Highway Safety, Traffic Reduction, Air Quality, and Port Security Fund of 2006 in the State Treasury. The act authorizes the issuance of \$19.925 billion of general obligation bonds for various transportation purposes, including \$1 billion for the State-Local Partnership Program, to be allocated by the California Transportation Commission to eligible transportation agencies, subject to appropriation by the Legislature. Existing law requires a dollar-for-dollar match of local funds for projects funded with these bond funds. This bill would make various findings regarding transportation infrastructure and funding in California and would state the purpose of the State-Local Partnership Program. The bill would state the intent of the Legislature to appropriate \$200,000,000 for the program from bond funds in each of 5 fiscal years beginning in the 2010-11 fiscal year. The bill would define local funds under the program for purposes of the required dollar-for-dollar match as revenues from any locally imposed sales tax for transportation. The bill would require the commission to allocate the program funds to certain local public entities who apply to the program for funding of eligible projects, as defined, according to certain procedures and unspecified deadlines, but subject to reallocation to other projects if the applicant fails to meet various requirements for timely use of funds. The bill would require the commission to include in its annual report to the Legislature a summary of its activities related to the program, as specified. The bill would require the commission, the Department of Transportation, the State Air Resources Board, the Office of Emergency Services, and other implementing entities to report annually to specified legislative committees on the status of implementing the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006.</p>	<p>ASSEM FLOOR</p>	<p>Watch</p>	<p>Prop 1B trailer bill. Allocates \$200 million annually for 5 years the SCPP, only to locals with transportation sales tax.</p>
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AB 1373 Introduced 02/23/2007	Emmerson (R. - Dist 63)	Highway construction contracts: design-build method: San Bernardino Design-Build Project. Existing law makes the Department of Transportation responsible for improving and maintaining the state highway system. This bill would authorize the San Bernardino Associated Governments (SANBAG) to use a design-build procurement method for the construction of improvements to the highways that provide access to health facilities offering emergency services in San Bernardino County. This bill would make legislative findings and declarations as to the necessity of a special statute for San Bernardino County.	ASSEM 2 YEAR	Sponsored, Support	Design-build authority for interchanges that provide access to health facilities. 2 year bill.
AB 1499 Introduced 02/23/2007	Garrick (R. - Dist 74)	Department of Transportation: design-build contracting. Existing law makes the Department of Transportation responsible for improving and maintaining the state highway system. Under existing law, until January 1, 2010, the department is authorized to utilize design sequencing as an alternative contracting method for the design and construction of not more than 12 transportation projects. This bill would authorize the department to use the design-build procurement process for its state highway construction contracts.	ASSEM 2 YEAR	Support	Expands authority to Caltrans to use design-build for any contract. 2 year bill.
AB 1672 Amended 06/01/2007	Nunez (D. - Dist 46)	California Transportation Commission. (1) Existing law, the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006, approved by the voters as Proposition 1B in the November 2006 general election, establishes the Highway Safety, Traffic Reduction, Air Quality, and Port Security Fund of 2006 in the State Treasury. Existing law requires specified moneys in the fund to be deposited in designated accounts and funds to be available , upon appropriation by the Legislature, for allocation by the California Transportation Commission for certain transportation-related purposes. This bill would require the commission to consult with the chairs of the appropriate policy committees of the Legislature not less than 60 days prior to adopting changes to any guidelines for the expenditure of funds pursuant to the Highway Safety, Traffic Reduction, Air Quality and Port Security Act of 2006. This bill contains other related provisions	ASSEM FLOOR	Watch	Prop 1B trailer bill. Requires CT and CTC to consult with the legislature prior to changing guidelines related to Prop 1B. Greatly amended to pertain to increasing membership of the CTC by 2 members, appointed by the legislators.

AJR 14 Introduced 02/23/2007	Jeffries (R. - Dist 66)	and other existing laws. Customs duties and importation revenues. This measure would memorialize the President and the Congress of the United States to enact legislation that will ensure that a substantial increment of new revenues derived from customs duties and importation fees be dedicated to mitigating the economic, mobility, security, and environmental impacts of trade in California and in other trade-affected states across the United States.	SEN FLOOR	Support	Calls on Congress to fund goods movement through dedicated customs duties.
SB 9 Amended 04/10/2007	Lowenthal (D. - Dist 27)	Trade corridor improvement: transportation project selection. Existing law, the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006, authorizes the issuance of \$19,925,000,000 of state general obligation bonds for specified purposes, including high-priority transportation corridor improvements. This bill would require projects proposed for funding from the Trade Corridors Improvement Fund to be included in an approved regional transportation plan. The bill would require the commission to allocate funds for trade infrastructure improvements in a manner that places emphasis on projects that demonstrate regional support and cooperation by multiple agencies and jurisdictions. The bill would require the commission, when allocating these funds, to consider specified emissions associated with the construction and operation of the project and the project's potential to reduce emissions associated with trade activity, as specified. The bill would require local agencies applying for these funds to include a plan to mitigate emissions associated with their projects to be funded, as specified. The bill would require that projects receiving funds be fully funded and ready for construction and that the funds be used only for construction costs. The bill would require \$50,000,000 of the moneys to be allocated from the Trade Corridors Improvement Fund to be available for infrastructure projects that demonstrate the potential to support the movement of freight in a manner that produces zero emissions. This bill contains other existing laws.	SENATE FLOOR	Watch	Prop 1B trailer bill to govern trade corridor allocations. Requires CTC to communicate with CARB; applicants to submit plans to mitigate emissions related to construction and operation of projects.

SB 12 Chaptered 04/10/2007	Lowenthal (D. - Dist 27)	<p>Planning and zoning: housing element: Southern California Association of Governments. The Planning and Zoning Law requires a city or county general plan to include specified mandatory elements, including a housing element that identifies and analyzes existing and projected housing needs and includes a statement of goals, policies, quantified objectives, financial resources, and scheduled programs for the preservation, improvement, and development of housing. This bill, until January 1, 2015, would substantially revise the procedure for the Southern California Association of Governments, or delegate subregion, as applicable, to develop a final allocation plan for distributing the existing and projected regional housing need to cities and counties within the region or subregion. This bill contains other related provisions and other existing laws.</p>	SENATE CHAPTERED		
SB 19 Amended 04/10/2007	Lowenthal (D. - Dist 27)	<p>Trade corridors: projects to reduce emissions: funding. Existing law requires that of the proceeds of bonds issued pursuant to the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006, a specified amount of those deposited in the California Ports Infrastructure, Security, and Air Quality Improvement Account in the Highway Safety, Traffic Reduction, Air Quality, and Port Security Fund of 2006, be made available, upon appropriation by the Legislature and subject to the conditions and criteria contained in a statute enacted by the Legislature, to the State Air Resources Board for certain emission reductions from activities related to the movement of freight along California's trade corridors. This bill would specify a list of projects eligible for this funding, and would require that the state board ensure that these funds are supplemented and matched with funds from federal, state, local, and private sources to the maximum extent feasible. Applicants for this funding would be required to include with their application for funding a plan to reduce emissions associated with goods movement activity.</p>	SENATE FLOOR	Watch	<p>Prop 1B trailer bill. Governs allocations of the air emissions category. Requires applicants to submit a plan to reduce emissions and the bond funds may only be used for related strategies.</p>

SB 45 Amended 04/10/2007	Perata (D. - Dist 9)	<p>Transportation funds: transit system safety. Existing law, the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006, approved by the voters as Proposition 1B in the November 2006 general election, establishes the Highway Safety, Traffic Reduction, Air Quality, and Port Security Fund of 2006 in the State Treasury. Specified moneys in the fund are required to be deposited in the Transit System Safety, Security, and Disaster Response Account to be made available, upon appropriation by the Legislature, for capital projects that provide increased protection against a security and safety threat, and for capital expenditures to increase the capacity of transit operators to develop disaster response transportation systems. This bill would establish the application process for allocations for capital projects from funds appropriated from the Transit System Safety, Security, and Disaster Response Account, which allocations would be made by the Office of Homeland Security to transit operators under 2 different formulas. The bill would specify the categories of projects eligible for these funds. The bill would require OHS to report to the Legislature on the projects receiving funding under these provisions. The bill would also provide for allocations by the Office of Emergency Services from funds appropriated from the account for capital expenditures that assist transit operators in developing disaster response transportation systems capable of moving goods, people, and equipment in the aftermath of a disaster.</p>	SENATE FLOOR	Watch	Prop 1B trailer bill addresses an application process for Transit System Safety category.
SB 46 Amended 04/10/2007	Perata (D. - Dist 9)	<p>Housing and Emergency Shelter Trust Fund Act of 2006: Regional Planning, Housing, and Infill Incentive Account. The Housing and Emergency Shelter Trust Fund Act of 2006 authorizes the issuance of bonds in the amount of \$2,850,000,000 pursuant to the State General Obligation Bond Law. Proceeds from the sale of these bonds are required to be used to finance various existing housing programs, capital outlay related to infill development, brownfield cleanup that promotes infill development, and housing-related parks. The act establishes the Housing and Emergency Shelter Trust Fund of 2006 in the State</p>	SENATE FLOOR	Watch	Prop 1C statutory framework. Creates a competitive grant program for \$850 million for infill housing infrastructure.

SB 47 Introduced 12/22/2006	Perata (D. - Dist 9)	<p>Treasury, requires the sum of \$850,000,000 to be deposited in the Regional Planning, Housing, and Infill Incentive Account, which the act establishes in the fund, and makes the money in the account available, upon appropriation, for infill incentive grants for capital outlay related to infill housing development and other related infill development, and for brownfield cleanup that promotes infill housing development and other related infill development consistent with regional and local plans, subject to the conditions and criteria that the Legislature may provide in statute. This bill would require the Department of Housing and Community Development, upon appropriation by the Legislature of the funds in the Regional Planning, Housing, and Infill Incentive Account for certain purposes, to establish and administer a competitive grant program to allocate those funds to selected qualifying infill projects, as defined, for capital outlay related to infill housing development and related infill infrastructure needs, in amounts of not less than an unspecified amount and not more than an unspecified amount per project per annual funding cycle. This bill contains other related provisions.</p>	SENATE 2 YEAR	Track	Prop 1B trailer bill. "Spot bill" that will address State-Local Partnership allocations.
<p>Transportation bonds. Proposition 1B, approved by the voters at the November, 2006, general election enacts the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006, which authorizes the issuance of \$19.925 billion of general obligation bonds for various transportation purposes, including \$1 billion for the State-Local Partnership Program, to be allocated by the California Transportation Commission to eligible transportation projects nominated by transportation agencies, subject to appropriation by the Legislature. Existing law requires a dollar for dollar match of local funds for projects funded with these bond funds. This bill would state the intent of the Legislature to enact provisions governing project eligibility, matching fund requirements, and the application process relative to allocation of bond proceeds to the State-Local Partnership Program.</p>					

SB 56 Amended 05/01/2007	Runner (R. - Dist 36)	<p>Highway construction contracts: Design-Build Demonstration Program: transportation entities. Existing law sets forth requirements for the solicitation and evaluation of bids and the awarding of contracts by public entities for the erection, construction, alteration, repair, or improvement of any public structure, building, road, or other public improvement. Existing law also authorizes specified state agencies, cities, and counties to implement alternative procedures for the awarding of contracts on a design-build basis. Existing law, until January 1, 2011, authorizes transit operators to enter into a design-build contract, as defined, according to specified procedures. This bill would declare the intent of the Legislature to authorize a demonstration program that would allow a careful examination of the benefits and challenges of using a design-build method of procurement for transportation projects. This bill contains other related provisions and other existing laws.</p>	HOLD ON SENATE APPR. SUSPENSE FILE	Support	Administration's bill to expand design-build authority for transportation agencies. Amended to limit to 10 the number of projects permitted.
SB 59 Introduced 01/11/2007	Cogdill (R. - Dist 14)	<p>Reliable Water Supply Bond Act of 2008. Under existing law, various bond acts have been approved by the voters to provide funds for water projects, facilities, and programs. This bill would enact the Reliable Water Supply Bond Act of 2008 which, if approved by the voters, would authorize, for purposes of financing a water supply program, the issuance, pursuant to the State General Obligation Bond Law, of bonds in the amount of \$3,950,000,000. The bill would require the Secretary of State to submit the bond act to the voters at the November 4, 2008, statewide general election.</p>	SENATE 2 YEAR	Track	
SB 61 Amended 05/01/2007	Runner (R. - Dist 36)	<p>Transportation: high-occupancy toll lanes and toll roads. Existing law generally authorizes regional transportation agencies, in cooperation with the Department of Transportation, to apply to the California Transportation Commission to develop and operate a value pricing program with high-occupancy toll (HOT) lanes, under which single-occupant vehicles may use designated high-occupancy vehicle lanes at certain times of day upon obtaining a permit and paying a fee. Toll revenues are used for the</p>	ASSEM TRANS	Support	Administration's revision to public-private partnership legislation. Amended to eliminate P3s but also eliminates cap on the number of HOT lanes authorized.

SB 167 Amended 05/15/2007	Negrete McLeod (D. - Dist 32)	<p>administration and operation of a value pricing program and exclusive or preferential lane facilities for public transit. Following public hearings by the commission, a project is required to be submitted to the Legislature for approval by statute before it may proceed. Applications under these provisions are limited to 4 projects statewide and must be approved before January 1, 2012. This bill would extend the application of these provisions to toll road projects. It would also authorize the department to apply to the commission under these provisions for the development and operation of a HOT lane or toll road project sponsored by the department. The bill would delete the 4-project limitation and the requirement for the Legislature to approve each project by statute. This bill contains other related provisions and other existing laws.</p> <p>General plans: planning grants and incentives. (1) The Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 allocates \$580,000,000 for revitalizing communities and making them more sustainable and livable by investing in sound land use planning, local parks, and urban greening, and specifically authorizes \$90,000,000 for planning grants and incentives, as specified, to encourage, among other things, the development of specified regional and local land use plans. The act also requires that these funds be made available upon appropriation by the Legislature. This bill would require the Governor's to administer multiple programs, as specified, to award (1) grants and loans to cities and counties to prepare and adopt general plans, including, among other things, a preference for a grant or loan if one or more criteria are met, (2) loans to cities and counties to prepare and adopt programs to implement city and county general plans, including specific plans, habitat conservation plans, zoning ordinances, and design standards, (3) grants to counties and the cities, if any, in those counties to prepare collaborative strategic growth plans, subject to specified criteria , and (4) grants and loans to local agency formation commissions to prepare and adopt municipal service reviews and spheres of influence. The bill would also</p>	HOLD ON SENATE APPR. SUSPENSE FILE	Track	Prop 84 guidance measure.
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		provide that the funding for the programs under (1), (2), and (4) includes the costs of complying with the California Environmental Quality Act . The bill would require the office to prepare and adopt regulations for this purpose that meet specified criteria and would require the office to cooperate with the Secretary of the Resources Agency in any independent audits of expenditures pursuant to these provisions. This bill contains other related provisions and other existing laws.				
SB 184 Introduced 02/06/2007	Alquist (D. - Dist 13)	Transportation projects. Existing law authorizes a regional or local entity that is the sponsor of, or is eligible to receive funding for, a project contained in the state transportation improvement program to expend its own funds for any component of a project within its jurisdiction that is included in an adopted state transportation improvement program, and for which the commission has not made an allocation. Existing law requires these expenditures to be reimbursed by the state, under specified conditions. Existing law limits these provisions to projects advanced for expenditures by an eligible local or regional entity within the 12 months preceding the date the project would otherwise be allocated funding by the commission. This bill would instead limit these provisions to projects advanced for expenditure by an eligible local or regional entity that are programmed in the current fiscal year of the state transportation improvement program, and would make other related changes to authorize future reimbursement allocations.	SENATE FLOOR	Watch	Santa Clara and OCTA sponsored bill to clarify CTC requests for reimbursing local agencies for project expenditures advanced by that agency.	
SB 262 Introduced 02/14/2007	Runner (R. - Dist 36)	Transportation : trade corridors improvement. Proposition 1B, approved by the voters at the November, 2006, general election enacts the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006, which authorizes the issuance of \$19.925 billion of general obligation bonds for various transportation purposes, including \$2 billion to be deposited in the Trade Corridors Infrastructure Fund in the California Ports Infrastructure, Security, and Air Quality Improvement Account to be available, upon appropriation by the Legislature, for allocation by the California	SENATE 2 YEAR	Support	Prop 1B trailer bill. Requires CTC to consider benefits of inland ports when allocating Trade Corridor Funds.	

SB 286 Amended 05/14/2007	Lowenthal (D. - Dist 27)	<p>Transportation Commission to highway system and freight rail system improvements along federally designated trade corridors of national significance. This bill would require the commission, when allocating these funds to projects, to consider the impact of a project on goods movement and port operations in the Southern California region and the potential of a project to benefit the inland port concept in order to relieve congestion at and in the vicinity of the Port of Los Angeles and the Port of Long Beach.</p> <p>Transportation bonds: implementation. Proposition 1B, approved by the voters at the November 2006, general election, enacts the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006, which authorizes the issuance of \$19.925 billion of general obligation bonds for various transportation purposes, including \$2 billion to be allocated by the Controller to cities and counties, by formula, for local street and road purposes, subject to appropriation by the Legislature. This bill would require the bond funds for local street and road purposes to be allocated by the Controller in at least 2 cycles that cover 4 years, with at least 1/2 of each eligible local agency's total allocation amount to be made during the first cycle of payments not later than January 1, 2008, as specified. The bill would also require the Controller to use the population figures from the Department of Finance as of January 1, 2007, in making allocations to cities. The bill would require an applicant for these funds to submit a list of projects expected to be funded with bond funds to the Department of Finance, as specified, and to report various information to the Department of Finance. The bill would require funds to be expended within 3 fiscal years from the date of allocation , and would require unexpended funds to be returned to the Controller for reallocation . The bill would make other related changes. This bill contains other related provisions.</p>	SENATE APPR. SUSPENSE FILE	Watch	Prop 1B trailer bill. Provides allocation cycle for city/county category of bond funds.
SB 303 Amended	Ducheny (D. - Dist 40)	<p>Local government: land use planning. (1) The Planning and Zoning Law requires a city, county, or city and county to adopt a comprehensive,</p>	SENATE FLOOR	Track	Overhaul of regional housing planning process. Requires every city to set aside enough zoned land to meet 20

05/02/2007		long-term general plan for the physical development of the city, county, or city and county that addresses a number of elements, including, among other things, a housing and an open-space element . Existing law provides that the general plan may be adopted as a single document or as a group of documents relating to subjects or geographic segments of the planning area. This bill would require the general plan, and each of its elements to encompass a planning and projection period of at least 20 years, except for the housing and open-space elements , and would require each element, except for the housing and open-space elements , to be updated at least every five years. This bill would require the housing element to be updated, as specified , and would require the conservation element and the open-space element to be updated concurrently with the housing element . This bill contains other related provisions and other existing laws.			year housing projection.
SB 307 Introduced 02/16/2007	Dutton (R. - Dist 31)	Goods movement. The Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006, authorizes the issuance of \$19.925 billion of general obligation bonds for various transportation purposes, including \$2 billion to be deposited in the Trade Corridors Infrastructure Fund in the California Ports Infrastructure, Security, and Air Quality Improvement Account to be available, upon appropriation by the Legislature, for allocation by the California Transportation Commission to highway system and freight rail system improvements along federally designated trade corridors of national significance. In determining projects eligible for funding, the commission is required to consult the Goods Movement Action Plan prepared by the Business, Transportation and Housing Agency and the California Environmental Protection Agency. This bill would state the intent of the Legislature to incorporate the Southern California National Freight Gateway Strategy into the Goods Movement Action Plan.	SENATE 2 YEAR	Track	Prop 1B trailer bill to address Trade Corridor category.

SB 375 Amended 05/02/2007	Steinberg (D. - Dist 6)	<p>Transportation planning; travel demand models; preferred growth scenarios; environmental review.</p> <p>Existing law requires certain transportation planning activities by the Department of Transportation and by designated regional transportation planning agencies, including development of a regional transportation plan. Existing law authorizes the California Transportation Commission, in cooperation with the regional agencies, to prescribe study areas for analysis and evaluation. This bill would require the commission, by April 1, 2008, to adopt guidelines for the use of travel demand models used in the development of regional transportation plans by regional transportation planning agencies. The bill would require a regional transportation planning agency for a region with a population of 800,000 or more to use those guidelines. The bill would require the Department of Transportation to assist the commission, on request, in this regard, and would impose other related requirements. This bill contains other related provisions and other existing laws.</p>	ASSEM DESK	Recommend Oppose.	Amendments adopted on 5/31 still being worked on.
SB 416 Introduced 02/21/2007	Ashburn (R. - Dist 18)	<p>Design-build; counties.</p> <p>Existing law requires public entities to comply with certain procedures in soliciting and evaluating bids and awarding contracts for the erection, construction, alteration, repair, or improvement of any public structure, building, road, or other public improvement. This bill would authorize any county, with the approval of the board of supervisors, to enter into design-build contracts, as defined, in accordance with specified provisions. This bill contains other related provisions and other existing laws.</p>	ASSEM DESK	Watch	Expands design-build to all counties (highways not included).
SB 445 Amended 05/08/2007	Torlakson (D. - Dist 7)	<p>Road User Task Force.</p> <p>Existing law provides various sources of revenue to fund state highway and local road maintenance, operation, and improvement, including a state-imposed per-gallon fuel tax of 18 cents. This bill would create , until January 1, 2009, the Road User Task Force, with 14 members appointed by the Legislature, Governor, California Transportation Commission, city and county organizations, and other specified entities. The bill would require the task force</p>	SENATE FLOOR	Support	Establishes a task force to review funding alternatives to existing fuel taxes. Will address revenue erosion due to increasing mix of alternative-fueled vehicles.

SB 522 Amended 04/19/2007	Dutton (R. - Dist 31)	to hold at least 3 public hearings around the state and to report to the Legislature and Governor by January 1, 2009, on alternatives to the current system of taxing road users through per-gallon fuel taxes. The bill would make legislative findings and declarations in that regard.	SENATE 2 YEAR	Track	Prop 1C allocation bill focusing on the infill housing component.
SB 540 Introduced 02/22/2007	Harman (R. - Dist 35)	<p>Infill housing: incentives. Existing law, the Housing and Emergency Shelter Trust Fund Act of 2006, authorizes the issuance of bonds in the amount of \$2,850,000,000 pursuant to the State General Obligation Bond Law. Proceeds from the sale of these bonds are required to be used to finance various existing housing programs, capital outlay related to infill development, brownfield cleanup that promotes infill development, and housing-related parks. The act establishes the Housing and Emergency Shelter Trust Fund of 2006 in the State Treasury, requires the sum of \$850,000,000 to be deposited in the Regional Planning, Housing, and Infill Incentive Account, which the act establishes in the fund, and makes the money in the account available, upon appropriation, for infill incentive grants for capital outlay related to infill housing development and other related infill development, and for brownfield cleanup that promotes infill housing development and other related infill development consistent with regional and local plans, subject to the conditions and criteria that the Legislature may provide in statute. This bill would authorize the Department of Housing and Community Development to administer a program to provide grants to cities and counties with allocated bond funds for the construction or acquisition of capital assets, as defined, to qualifying cities, counties, and cities and counties. This bill would further set forth specific criteria upon which the department shall give preference for a awarding a grant under this program.</p> <p>Sales and use taxes: exemption: fuel taxes. The Sales and Use Tax Law imposes a state sales and use tax on the gross receipts from the sale of tangible personal property sold at retail in this state or on the sales price of tangible personal property purchased from a retailer for the storage, use, or other</p>	HOLD ON SENATE REV. & TAX SUSPENSE FILE	Oppose	Exempts gas from state and local sales taxes. Unfunds Prop 42, impacts local Bradley-Burns and self-help revenues without state backfill.

SB 586 Amended 04/24/2007	Dutton (R. - Dist 31)	consumption of that property in this state by the purchaser. This bill would provide, for purposes of that law, that the terms "sales price" and "gross receipts" do not include the amount of any state and federal fuel taxes, as specified. This bill contains other related provisions and other existing laws.	Affordable Housing Innovation Fund: California Affordable Housing Revolving Development and Acquisition Program. Existing law, the Housing and Emergency Shelter Trust Fund Act of 2006, authorizes the issuance of bonds in the amount of \$2,850,000,000 pursuant to the State General Obligation Bond Law. Proceeds from the sale of these bonds are required to be used to finance various existing housing programs, capital outlay related to infill development, brownfield cleanup that promotes infill development, and housing-related parks. The act establishes the Housing and Emergency Shelter Trust Fund of 2006 in the State Treasury and requires the sum of \$1,500,000,000 to be deposited in the Affordable Housing Account, which the act establishes in the fund. The act continuously appropriates the money in the account in accordance with a specified schedule that requires, among other things, the transfer of the sum of \$100,000,000 to the Affordable Housing Innovation Fund, which the act establishes in the State Treasury, to be administered by the Department of Housing and Community Development and expended for competitive grants or loans to sponsoring entities that develop, own, lend, or invest in affordable housing, and to create pilot programs to demonstrate innovative, cost-saving approaches to creating or preserving affordable housing. This bill would establish the California Affordable Housing Revolving Development and Acquisition Program under the administration of the department and would require the department to issue a Notice of Funding Availability to select a program manager to review and approve loan applications, originate loans, and service loans. The bill would authorize applicants under the program to apply for loans to purchase real property for the development or preservation of housing affordable to low-income households and would	SENATE FLOOR	Watch	Allocates \$100 million of Prop 13 funds to fund affordable housing programs.
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		require applicants to demonstrate certain qualification factors. The bill would require the department to adopt regulations establishing the minimum criteria required of the program manager and applicants, as well as a point system for prioritizing requests in the event that requests exceed the funds available for the program in any given year. This bill contains other related provisions.				
SB 640 Amended 04/30/2007	Simition (D. - Dist 11)	Circulation and transportation element. Existing law requires a general plan to include a statement of development policies and, among other elements, a circulation element consisting of the general location and extent of existing and proposed major thoroughfares, transportation routes, terminals, and military airports and ports, and other local public utilities and facilities, all correlated with the land use element of the plan. This bill would rename the circulation element the circulation and transportation element and make other technical and conforming changes.	ASSEM L. GOV.	Track	Minor bill regarding general plans.	
SB 716 Amended 05/16/2007	Perata (D. - Dist 9)	Transit operators. Existing law, the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006, approved by the voters as Proposition 1B in the November 2006 general election, establishes the Highway Safety, Traffic Reduction, Air Quality, and Port Security Fund of 2006 in the State Treasury. \$3.6 billion of the moneys in the fund are required to be deposited in the Public Transportation Modernization, Improvement, and Service Enhancement Account to be made available, upon appropriation by the Legislature, to transportation agencies for transit capital projects pursuant to a specified formula. This bill would specify the requirements for an eligible project sponsor, as defined, to receive an allocation of funds appropriated from the account. The bill would require the California Transportation Commission and the Controller to administer these provisions.	SENATE FLOOR	Watch	Prop 1B bill that allocates the \$3.6 billion for transit capital projects.	
SB 717 Amended 05/10/2007	Perata (D. - Dist 9)	Transportation Investment Fund. Existing law specifies the allocation of funds in the Transportation Investment Fund, derived from a portion of the sales tax on gasoline, to various	ASSEM TRANS.	Watch	Clarifies and continues the distribution of Prop 42 funds after expiration of TCRP after 2007-08.	

		transportation projects and programs. Article XIX B of the California Constitution requires, commencing with the 2003-04 fiscal year, that sales taxes on motor vehicle fuel that are deposited into the General Fund be transferred to the Transportation Investment Fund for allocation for those transportation purposes until the end of the 2007-08 fiscal year. Thereafter, Article XIX B requires these revenues to be allocated to broad categories of transportation purposes, including 20% for programs funded by the Public Transportation Account, 40% for transportation capital improvement projects in the State Transportation Improvement Program, and 40% for apportionment to cities and counties pursuant to certain formulas for road maintenance and construction purposes. This bill would continue the Transportation Investment Fund in existence and would specify the use of revenues deposited in that fund from gasoline sales tax revenues subject to Article XIX B beginning in the 2008-09 fiscal year.			
SB 745 Amended 04/09/2007	Oropeza (D. - Dist 28)	Transportation funding: part security. Proposition 1B, approved by the voters at the November, 2006, general election, enacts the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006, which authorizes the issuance of \$19.925 billion of general obligation bonds for various transportation purposes, including \$100,000,000 for allocation by the Office of Emergency Services (OES) for port, harbor, and ferry terminal security improvements. This bill would require OES to develop criteria for allocating these bond funds, based on certain factors.	SENATE 2 YEAR	Track	Prop 1B bill related to port security funds.
SB 748 Amended 04/10/2007	Corbett (D. - Dist 10)	Transportation: state-local partnerships. Proposition 1B, approved by the voters at the November 2006, general election enacts the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006, which authorizes the issuance of \$19.925 billion of general obligation bonds for various transportation purposes, including \$1 billion for the State-Local Partnership Program, to be allocated by the California Transportation Commission to eligible transportation projects nominated by transportation agencies, subject to	SENATE FLOOR	Watch	Prop 1B bill that specifies allocations for state-local partnership. Includes voter-approved tolls as eligible match.

SB 803 Amended 04/11/2007	Lowenthal (D. - Dist 27)	<p>appropriation by the Legislature. Existing law requires a dollar-for-dollar match of local funds for projects funded with these bond funds. This bill would state the purposes of the State-Local Partnership Program and would require the California Transportation Commission to adopt guidelines for the program. The bill would state the intent of the Legislature to appropriate \$200,000,000 for the program from bond funds in each of 5 fiscal years beginning in the 2007-08 fiscal year. The bill would define eligible local matching funds under the program for purposes of the required dollar-for-dollar match, and would establish an application procedure for eligible applicants to nominate projects. The bill would limit the amount of bond funding for a single project to \$25,000,000 in a single funding cycle. The bill would describe the categories of projects that may be funded through the program, would establish timelines for expenditure of the funds, and would provide for the reallocation of funding if those timelines are not met. The bill would require the commission to include in its annual report to the Legislature a summary of its activities related to the program, as specified.</p> <p>Transportation enhancement funds: community conservation corps. Existing federal law, as part of the comprehensive surface transportation program, allocates transportation funds to each state for transportation enhancement projects. This bill, with respect to federal funds made available to the state for transportation enhancement projects, would require transportation planning agencies, county transportation commissions or authorities, and congestion management agencies to adopt criteria that give priority in the selection of these projects to the sponsors of eligible projects that partner with, or commit to employ the services of, a community conservation corps, as defined, or the California Conservation Corps , areas not served by a community or conservation corps, to construct or undertake the project. The bill would provide that a community conservation corps , or the California Conservation Corps in areas not served by a community conservation corps, is eligible to apply for</p>	ASSEM DESK	Track	Authorizes local conservation corps to participate and compete in the federal Transportation Enhancement program.
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SB 872 Amended 05/08/2007	Ackerman (R. - Dist 33)	<p>project funds. The bill would authorize these agencies and the Department of Transportation to enter into cooperative agreements, grant agreements, or procurement contracts with community conservation corps pursuant to certain simplified contract requirements. The bill would require the California Transportation Commission, when developing guidelines for the state transportation improvement program and the state highway operations and protection program, to include guidance to encourage the allocation of funds for transportation enhancement projects to community conservation corps and the California Conservation Corps, either as applicants or as partners with applicants that commit to employ the services of corps members in the construction of those projects. The bill would make related legislative findings and declarations.</p> <p>State-Local Partnership Program. Existing law provides various sources of funding for transportation capital projects. Proposition 1B, approved by the voters at the November 7, 2006, statewide general election, enacts the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006, which authorizes the issuance of \$19.925 billion of general obligation bonds for various transportation purposes, including \$1 billion for the State-Local Partnership Program Account, to be allocated by the California Transportation Commission over a 5-year period to eligible transportation projects nominated by transportation agencies, subject to appropriation by the Legislature. This bill would create the State-Local Partnership Program and state the intent of the Legislature to appropriate \$200,000,000 per year for 5 years beginning in the 2010-11 fiscal year. The bill would provide for allocation of state funds to eligible highway and mass transit guideway projects nominated by local agencies that are to be funded with at least 50% of local funds derived from a locally imposed transportation sales tax. The bill would specify the process for applying for, receiving, and expending these funds. The bill would state the intent of the Legislature in that regard.</p>	HOLD ON SENATE APPR. SUSPENSE FILE	Watch	Prop 1B bill to allocate state-local partnership funds over 5 years (\$200 m annually) on a 1:1 match for local self-help funds. Limited to voter approval local transportation sales tax measures.
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SB 934 Amended 05/01/2007	Lowenthal (D. - Dist 27)	<p>Housing and infrastructure zones. The Community Services District Law identifies the procedures for district formation and specifies the services that a district may provide. Among those services are the acquisition, construction, improvement, maintenance, and operation of recreation facilities, including parks and open space, and community facilities, including libraries, and child care facilities; supplying water for any beneficial use; the collection, treatment, or disposal of sewage, wastewater, recycled water, stormwater, and solid waste; and the acquisition, construction, improvement, and maintenance of streets, roads, rights-of-way, bridges, culverts, drains, curbs, gutters, sidewalks, and any incidental works. This bill would establish a pilot project allowing for the formation, under criteria developed by specified councils of governments and the Secretary of Business, Transportation and Housing, of 100 housing and infrastructure zones in the state. A city or county would be eligible to apply to its council of governments or the agency, as applicable, in order to establish a housing and infrastructure zone, subject to approval by the bank, and specified reporting requirements. By requiring local governments to perform certain duties with respect to the selection and establishment of zones, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.</p>	HOLD ON SENATE APPR. SUSPENSE FILE	Watch	Establishes 100 housing and infrastructure zones.
SB 947 Amended 04/30/2007	Hollingsworth (R. - Dist 36)	<p>California Environmental Quality Act: consultation: transportation facilities. The California Environmental Quality Act (CEQA) requires a lead agency to prepare an environmental impact report on a project that it proposes to carry out or approve that may have a significant effect on the environment, unless the project is exempt from the act. This bill would additionally require notice of at least one scoping meeting to be provided to transportation planning agencies or public agencies required to be consulted concerning such a project, and would require the project's effect on overpasses, on-ramps, and off-ramps to be included in that consultation. By imposing new duties on local governments with respect to notifying additional</p>	ASSEM NAT. RES.	Support	Addresses CEQA scoping processes for highway projects.

SB 974 Amended 05/24/2007	Lowenthal (D. - Dist 27)	entities of a scoping meeting and consulting on other effects of the project, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.	SENATE FLOOR	Watch	Creates a program for LA/LB and Oakland Ports under a new container fee of \$30/TEU to fund infrastructure and air quality improvements. Contains language that restricts expenditures unless air emission targets are fully met.
SB 1002 Amended 04/30/2007	Perata (D. - Dist 9)	<p>Ports: congestion relief; environmental mitigation: regulatory fee. Existing law regulates the operation of ports and harbors. This bill would require the Ports of Los Angeles, Long Beach, and Oakland to collect a user fee on the owner of container cargo moving through the Port of Los Angeles, the Port of Long Beach, or the Port of Oakland at a rate of \$30 per twenty-foot equivalent unit (TEU). This bill contains other related provisions and other existing laws.</p> <p>Water quality, flood control, water storage, and wildlife preservation. The Disaster Preparedness and Flood Prevention Bond Act of 2006, a bond act approved by the voters at the November 7, 2006, statewide general election, authorizes the issuance of bonds in the amount of \$4,090,000,000 for the purposes of financing disaster preparedness and flood prevention projects. The Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006, an initiative bond act approved by the voters at the November 7, 2006, statewide general election, authorizes the issuance of bonds in the amount of \$5,388,000,000 for the purposes of financing a safe drinking water, water quality and supply, flood control, and resource protection program. The Costa-Machado Water Act of 2000 authorizes, for the purposes of financing a safe drinking water, water quality, watershed protection, and flood protection program, the issuance of bonds in the amount of \$1,970,000,000. The Water Security, Clean Drinking Water, Coastal and Beach Protection Act of 2002, approved by the voters at the November 5, 2002, statewide general election, authorizes, for the purposes of financing a safe drinking water, water quality, and water reliability program, the issuance of bonds in the amount of \$3,440,000,000. This bill, with regard to those bond funds, would appropriate \$675,500,000 as follows: of the funds made available</p>	SENATE FLOOR	Track	Direct water and flood control funding provided by Prop 1E and Prop 84 totaling \$883 million.

SB 1028	Padilla	<p>pursuant to the Disaster Preparedness and Flood Prevention Bond Act of 2006, \$50,000,000 to the Department of Water Resources for essential emergency preparedness supplies and projects, and \$150,000,000 to the department for stormwater flood management project grants; of the funds made available pursuant to the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006, \$50,000,000 to the State Department of Public Health for grants for small community drinking water systems infrastructure improvements and related actions, \$200,000,000 to the department for grants that integrate groundwater management with water supply management and water quality management \$15,000,000 to the department to complete feasibility studies associated with new surface storage under the California Bay-Delta Program, and \$15,000,000 to the department for the development of a plan for the reoperation of the state's flood protection and water supply systems; of the funds made available pursuant to the Costa-Machado Water Act of 2000, \$22,000,000 to the State Water Resources Control Board for water recycling project grants, \$16,000,000 to the department for grants for water conservation projects, groundwater recharge facilities, urban water conservation projects, and infrastructure rehabilitation projects, and \$125,000,000 to the department for projects to reduce losses of all life stages of fish to water diversions in the San Joaquin River and the Sacramento-San Joaquin Delta; and of the funds made available pursuant to the Water Security, Clean Drinking Water, Coastal and Beach Protection Act of 2002, \$12,500,000 to the department for contaminant and salt removal technologies, and \$20,000,000 for implementation of the Franks Tract Pilot Project. This bill contains other related provisions and other existing laws.</p>	ASSEM NAT. RES.	Recommend Support	
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SCR 16 Amended 03/26/2007	Negrete McLeod (D. - Dist 32)	Gary Moon Memorial Interchange. This measure would designate the future interchange at State Highway Route 210 and Interstate 215, the Gary Moon Memorial Interchange.	ASSEM. APPR.	Sponsored, Support	SANBAG sponsored.
Total Position Forms: 68					

-
- San Bernardino County Transportation Commission ■ San Bernardino County Transportation Authority
■ San Bernardino County Congestion Management Agency ■ Service Authority for Freeway Emergencies
-

Minute Action

AGENDA ITEM: 13

Date: July 11, 2007
Subject: Federal Appropriations Update
*Recommendation:** Receive Report and File
Background: *Federal Appropriations Update*

In June, the House Transportation and Housing and Urban Affairs Appropriations Subcommittee marked up the FY 2008 funding bill. The bill fully funds highway and transit guarantees in SAFETEA-LU, including the Revenue Aligned Budget Authority (RABA) adjustment for FY 2008. Highlights of the bill include:

- \$40.2 billion for highways, which is \$600 million above the President's request;
- \$9.7 billion for transit, which is \$300 million over the President's request;
- \$1.4 billion in funding for Amtrak; and
- \$3.6 billion for the Airport Improvement Program.

The House bill will not include earmarks until the House and Senate meet in conference later this fall.

Additionally, the House Appropriations Committee approved the FY 2008 funding bill for the Department of Homeland Security (DHS). The bill was

*

Approved
Board of Directors

Date: _____

Moved: _____ *Second:* _____

In Favor: _____ *Opposed:* _____ *Abstained:* _____

Witnessed: _____

approved by voice-vote. The Homeland Security Appropriations will be debated and voted on by the full House of Representatives today.

The bill provides \$36.254 billion to the Department of Homeland Security, an increase of over \$2.5 billion above the FY 2007 funding level.

Issues of interest to SANBAG in this bill include:

Rail Security

- Provides \$400 million for security grants, which is \$225 million above the current level. The Committee gave direction to DHS, stressing the need to give priority to 1) Infrastructure improvements at or near rail and transit facilities; 2) Enhancements for communication and surveillance detection capabilities; and 3) Training to deter, detect, and respond to terrorists threats.
- Provides \$16.9 million for rail security inspectors and canines.
- Provides \$6 million for exercises to identify vulnerabilities to critical transportation infrastructure.

Financial Impact: The recommended action is consistent with the SANBAG 2006-2007 FY Budget.

Reviewed By: This item has had no prior policy committee review.

Responsible Staff: Jennifer Franco, Director of Intergovernmental and Legislative Affairs

-
- San Bernardino County Transportation Commission ■ San Bernardino County Transportation Authority
 - San Bernardino County Congestion Management Agency ■ Service Authority for Freeway Emergencies
-

Minute Action

AGENDA ITEM: 14

Date: July 11, 2007

Subject: Appointment of Jim Beers, Registered Civil Engineer, a Fluor contract employee, to serve as SANBAG's Agency Engineer as required for federal funding applications

Recommendation:* Appoint Jim Beers, Registered Civil Engineer, a Fluor contract employee, to serve as SANBAG's Agency Engineer for purposes related to the requirement of federal funding applications. This item imposes no financial impact.
TN 81508000

Background: SANBAG anticipates using federal Surface Transportation Program (STP) and Congestion Mitigation/Air Quality (CMAQ) funds for construction of the Interstate 215 project. In order to "obligate" federal funds, one of the requirements that SANBAG must satisfy prior to obligation federal funds is that a qualified (i.e., registered) engineer be designated by the agency for a variety of administrative purposes. SANBAG currently has no regular employees who are registered engineers. Under the terms of the Local Assistance Procedures Manual, contract employees can be designated to perform this function which has been SANBAG's standard practice.

Financial Impact: This action has no financial impact. TN 81508000

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Approved
Board of Directors

Date: July 11, 2007

Moved: Second:

In Favor: Opposed: Abstained:

Witnessed: _____

Board Agenda Item
July 11, 2007
Page 2

Reviewed By: This item was reviewed and unanimously recommended for approval by the Major Projects Committee on June 14, 2007. *(Meeting chaired by John Pomierski)*

Responsible Staff: Darren Kettle, Director of Freeway Construction

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- San Bernardino County Transportation Commission ■ San Bernardino County Transportation Authority
■ San Bernardino County Congestion Management Agency ■ Service Authority for Freeway Emergencies
-

Minute Action

AGENDA ITEM: 15

Date: July 11, 2007

Subject: Approve Contract No. 08-008 with Parsons Transportation Group for Interstate 10 High Occupancy Vehicle (HOV) Lane Project Development Activities

*Recommendation:** Approve Contract No. 08-008 with Parsons Transportation Group for Interstate 10 HOV Lane Project Development Activities in an amount not to exceed \$10,500,000 as described in the financial impact section below.
TN 82508000

Background: This is a new consultant services contract. In November 2006 the Board authorized the release of a Request for Qualifications 07-160 (RFQ) to Engineering/Environmental Consultants for project development activities for the I-10 HOV Lane. The scope of these activities includes final Caltrans approved preliminary engineering and environmental clearance for nearly 26 miles of new HOV lanes on the I-10 from approximately Haven Avenue in Ontario to Ford Street in Redlands. SANBAG received four Statements of Qualification (SOQ) in response to the RFQ. The teams that submitted SOQs included:

- DMJM+Harris/Jones and Stokes
- Jacobs/LSA
- Parsons Transportation Group/David Evans and Associates
- URS Corporation/Stantec

*

Approved
Board of Directors

Date: July 11, 2007

Moved: *Second:*

In Favor: *Opposed:* *Abstained:*

Witnessed: _____

Utilizing the SANBAG consultant selection process a committee consisting of one representative from the City of Fontana, one representative from the City of San Bernardino, two representatives from Caltrans and two SANBAG staff reviewed and rated all four SOQs. Each Statement of Qualification (SOQ) was rated in five categories; firm qualifications, personnel qualifications, staffing capability, project understanding, and quality assurance/quality control (QA/QC) approach. All four firms/teams submitted SOQs that conveyed a strong knowledge and understanding of the project and substantial experience for the principal discipline lead staff. Due to the strength of all four SOQs the selection committee short-listed all four firms/teams.

Interviews were conducted on March 8, 2007 with a selection panel that consisted of the same representatives that reviewed the written SOQs. The teams were rated based on firm qualifications, personnel qualifications (with particular attention to relevant projects), staffing capability (depth and availability), project understanding, and QA/QC. Again all four firms/teams exhibited a variety of strengths in their presentation and responses during the question and answer period. The selection committee unanimously agreed, however, that Parsons Transportation Group was most qualified to perform the work and had the best project understanding. The Parsons team has familiarity with the I-10 Corridor as they are currently working on projects along the corridor and one of their environmental subconsultants has substantial experience with federally endangered species listed Delhi Sands Flowering Loving Fly which is expected to be one of the challenges in the final environmental clearance.

The selection panel unanimously recommends this contract to the Major Projects Committee and the Board of Directors. The contract cost negotiated with Parsons is consistent with the work included in the scope of work used for the RFQ and is include in the approved SANBAG 2007/2008 Annual Budget.

Financial Impact: This action is consistent with the 2007/08 Budget. The funding source for project development activities is Measure I Valley Major Project funds which will be repaid from Measure I 2010-2040 Valley Major Projects funds. TN 82508000 (I-10 Project Development)

Reviewed By: This item was reviewed and unanimously recommended for approval by the Major Projects Committee on June 14, 2007. (*Meeting chaired by John Pomierski*)

Responsible Staff: Darren Kettle, Director of Freeway Construction

SANBAG Contract No. C08008

by and between

the San Bernardino County Transportation Authority

and

Parsons Transportation Group

for

I-10 HOV Lanes Addition from Haven Avenue to Ford Street

FOR ACCOUNTING PURPOSES ONLY

<input checked="" type="checkbox"/> Payable	Vendor Contract # <u>C08008</u>	Retention:	<input checked="" type="checkbox"/> Original
<input type="checkbox"/> Receivable	Vendor ID _____	<input type="checkbox"/> Yes _____ % <input checked="" type="checkbox"/> No	<input type="checkbox"/> Amendment

Notes:

Original Contract:	\$ <u>9,902,330</u>	Previous Amendments Total:	\$ _____
Contingency Amount:	\$ <u>597,670</u>	Previous Amendments Contingency Total:	\$ _____
		Current Amendment:	\$ _____
		Current Amendment Contingency:	\$ _____

Contingency Amount requires specific authorization by Task Manager prior to release.

Contract TOTAL → \$ 10,500,000

↓ Please include funding allocation for the original contract or the amendment.

Task	Cost Code	Funding Sources	Grant ID	Amounts
82508	5553	MVPMI	_____	\$ <u>4,000,000</u>
82509	5553	MVPMI	_____	\$ <u>5,000,000</u>
82510	5553	MVPMI	_____	\$ <u>1,300,000</u>
82511	5553	MVPMI	_____	\$ <u>200,000</u>

Original Board Approved Contract Date: <u>07/11/07</u>	Contract Start: <u>07/11/07</u>	Contract End: <u>06/30/12</u>
New Amend. Approval (Board) Date: _____	Amend. Start: _____	Amend. End: _____

If this is a multi-year contract/amendment, please allocate budget authority among approved budget authority and future fiscal year(s)-unbudgeted obligations:

Approved Budget Authority →	Fiscal Year: <u>07/08</u> \$ <u>4,000,000</u>	Future Fiscal Year(s) – Unbudgeted Obligation →	\$ <u>6,500,000</u>
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Is this consistent with the adopted budget? ☒ Yes ☐ No

If yes, which Task includes budget authority? 825

If no, has the budget amendment been submitted? ☐ Yes ☒ No


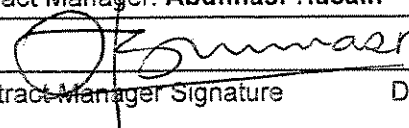
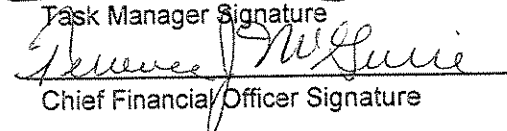
CONTRACT MANAGEMENT

Please mark an "X" next to all that apply:

☐ Intergovernmental ☒ Private ☐ Non-Local ☐ Local ☒ Partly Local

Disadvantaged Business Enterprise: ☒ No ☐ Yes _____ %

Task Manager: Darren Kettle	Contract Manager: Abunnasr Husain
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	<u>6-13-07</u>		<u>06/13/2007</u>
Task Manager Signature	Date	Contract Manager Signature	Date
	<u>6/13/07</u>		
Chief Financial Officer Signature	Date		

ATTACHMENT "A"

Scope of Services

By and between

San Bernardino County Transportation Authority

and

Parsons Transportation Group

to

**Provide Project Approval and
Environmental Document Services**

for

**Interstate 10 (I-10) High Occupancy Vehicle (HOV) Lanes Addition
From Haven Avenue to Ford Street**

in

**Cities of Ontario, Fontana, Rialto, Colton, San Bernardino,
Loma Linda, Redlands, and
The County of San Bernardino**

INDEX

A. DESCRIPTION OF SERVICES

- Project Location and Description

B. APPLICABLE STANDARDS

- General Guidelines and Services to be Performed by Consultants

C. SERVICES LPERFORMED BY CONSULTANT

- Engineering Support Services Scope
- Environmental Services Scope

D. FURNISHED MATERIALS

E. ADMINISTRATION

- AUTHORITY Project Management and Administration
- CONSULTANT Project Management and Administration
- Project Controls
- Monthly Progress Reports
- Quality Assurance
- Reproduction Services
- Submittal and Reviews

A. **DESCRIPTION OF SERVICES**

The San Bernardino Associated Governments/San Bernardino County Transportation authority (AUTHORITY), in cooperation with the California Department of Transportation (Caltrans), will utilize the services of CONSULTANTS to provide preliminary engineering and environmental services as described below. The scope of services is for the addition of two (2) high occupancy vehicle lanes (HOV) on Interstate 10 (I-10) between Haven Ave. in the City of Ontario and Ford St. in the City of Redlands.

Coordination of CONSULTANT, AUTHORITY, and Caltrans will be accomplished through a Consultant Project Manager, AUTHORITY Contract Manager or his designee, and a Caltrans Project Manager.

The AUTHORITY Contract Manager for this contract shall be:

Mr. Darren Kettle
Director of Freeway Construction

CONSULTANT shall be required to perform all professional and technical engineering and environmental services necessary to prepare a Project Approval (PA) and an Environmental Document (ED). Additional on-call engineering and environmental support may also be required on an as-needed basis.

PROJECT LOCATION AND DESCRIPTION

The project proposes to construct an HOV lane in each direction of I-10 from Haven Ave. in the City of Ontario to Ford St in the City of Redlands. The total project length is 25 miles which begins in the City of Ontario and proceeds easterly through the Cities of Fontana, Rialto, Colton, San Bernardino, Loma Linda, and Redlands, and the County of San Bernardino. The existing I-10 has HOV lanes west of Haven Ave. and eight (8) mixed flow lanes from the Los Angeles/San Bernardino county line to Ford St. in Redlands.

The proposed project will consist of widening existing roadbeds and undercrossings, reconstruction of several overcrossings, realignment of on/off ramps, auxiliary lanes, and drainage improvements. There are several projects planned and/or on-going in the project area that will affect the proposed improvements such as:

- Cherry Ave. Interchange
- Beech Interchange
- Citrus Interchange
- Cypress Interchange
- Alder Interchange
- Cedar Interchange
- Riverside Interchange
- Pepper Interchange
- Tippecanoe Interchange
- I-10 Mixed-flow Lane Addition, Redlands

B. APPLICABLE STANDARDS

All project deliverables and related material shall be prepared in accordance with current Caltrans and Federal Highway Administration (FHWA) regulations, policies, procedures, manuals, and standards. CONSULTANT's attention is directed to Caltrans' *Project Development Procedures Manual Appendix K- Preparation Guidelines for Project Report*.

General Guidelines and Services to be Performed by Consultants

CONSULTANT will be responsible for the services outlined in this Scope of Services. CONSULTANT services shall conform to the standards, criteria, and requirements of this Scope of Services. In addition, as a part of this project CONSULTANT may be required to provide on-call engineering and environmental services. Services may include but not be limited to:

- A. CONSULTANT shall prepare geometric drawings, advance planning studies, review and evaluate alternatives, define preliminary right-of way requirements, perform preliminary drainage studies, prepare preliminary schedules and cost estimates necessary to produce the PR through final approval.
- B. CONSULTANT shall define environmental requirements, develop the corresponding technical studies in support of the ED, and obtain project environmental clearance.
- C. CONSULTANT shall carry out the directions as received *only* from AUTHORITY's Contract Manager, or his designee. In addition, CONSULTANT shall cooperate with all project stakeholders including the Cities of Ontario, Fontana, Rialto, Colton, San Bernardino, Loma Linda, Redlands, the County of San Bernardino, Caltrans, and other consultants providing services for this project and related projects, as necessary.
- D. It is not the intent of the foregoing paragraph to relieve CONSULTANT of professional responsibility during the performance of this Scope of Services. In those instances where CONSULTANT believes a better solution to a problem is possible or consultant has a recommendation, CONSULTANT shall promptly notify AUTHORITY's Contract Manager of CONSULTANT'S opinions with supporting evidence thereof.
- E. CONSULTANT shall have sole responsibility for the accuracy and completeness of all deliverables and all supporting documents. CONSULTANT shall independently check all deliverables and supporting documents prior to any submittal. All deliverables may be reviewed by the local jurisdictions, FHWA, Caltrans, AUTHORITY, and/or AUTHORITY's designee for conformity to the project.
- F. All deliverables and supporting materials furnished under this Scope of Services shall be of a quality acceptable to FHWA, Caltrans, and AUTHORITY. The criteria for acceptance shall be a product of neat appearance, well organized, technically and grammatically correct and checked. The appearance, organization and content of all deliverables and supporting materials shall be to Caltrans and FHWA standards.
- G. All elements of the Project Report (PR) may be considered for Value Analysis studies. To this end the CONSULTANT is encouraged to submit to AUTHORITY an informal written statement or memorandum addressing those elements where it appears significant savings and

other advantages may be realized. CONSULTANT shall support the Value Analysis through providing information as needed and providing support on an as needed basis.

- H. The CONSULTANT shall maintain a set of project files that are indexed in accordance with Caltrans' Project Development Uniform File System.
- I. AUTHORITY reserves the right to approve all project scope of services changes. Any changes resulting from the addition, deletion, or revisions to the Scope of Services will not be made without prior written approval from AUTHORITY. The CONSULTANT shall not be compensated for making any changes to the project Scope of Services other than those approved in writing by AUTHORITY.
- J. CONSULTANT shall not suspend performance of CONSULTANT services contract with AUTHORITY during the negotiations of any change orders except as they may be directed by AUTHORITY. CONSULTANT shall perform all changes in accordance with the terms and conditions of CONSULTANTS contract with AUTHORITY.
- K. At the completion of this Scope of Services all electronic files and original correspondence relating to the Project shall be turned over to AUTHORITY who will then forward said files to Caltrans. This includes all deliverables, working data, field data, background information and all other related information.
- L. CONSULTANT shall employ quality control procedures that identify potential risks and uncertainties related to construction of the Project. Risks that may be encountered include, but are not limited to, impacts to adjacent properties, public safety, and environmental considerations. If at any time during the performance of this Scope of Services, CONSULTANT observes, encounters, or identifies any circumstance that could pose potential risk, CONSULTANT shall notify AUTHORITY.
- M. CONSULTANT shall coordinate with Caltrans and all other agencies involved or potentially impacted by the Project. CONSULTANT shall inform AUTHORITY prior to all contacts, meetings, and correspondence on project related issues with Caltrans or any other agencies.
- N. CONSULTANT will be responsible for obtaining all rights of entry as necessary.
- O. All studies, reports and deliverables will employ US Customary units where applicable or necessary.

C. **SERVICES PERFORMED BY CONSULTANT**

Engineering Support Services Scope

The CONSULTANT shall provide engineering services both technical and administrative that are consistent with producing project alternatives and ultimately a PR. CONSULTANT will be responsible for identifying a purpose and need for the project, developing alternatives consistent with findings from previous studies and input from involved agencies, and recommending a preferred alternative that will be used to clear the project environmentally. Additionally, CONSULTANT may be required to provide on-call engineering services as needed.

It is not the intent of the following paragraphs to relieve CONSULTANT of professional

responsibilities during the performance of this Scope of Services. In all instances where CONSULTANT believes this Scope of Services has not identified requirements that may be pertinent to producing acceptable alternatives to be cleared environmentally or producing a PR, CONSULTANT shall promptly notify AUTHORITY's Contract Manager of CONSULTANT's opinions with evidence thereof.

CONSULTANT shall provide a project approach or management plan that will define the basic schedule and work tasks.

Project Report and General Activities

CONSULTANT shall follow a work process that ensures that the objectives of the agencies involved and that of state and federal agencies are accommodated. Additionally, any and all legal and procedural requirements for state and federal agencies must be met. This process may include but not be limited to the following general activities and studies:

- Conducting traffic studies of existing conditions and forecasting for the project design year.
- Conducting on-site reconnaissance of the existing project site.
- Surveying the project area as needed.
- Identifying any projects in the vicinity that may be affected and ensuring alternatives are consistent with these projects.
- Refining alternatives based on opportunities and constraints.
- Developing and obtaining approval for Geometric Drawings for the proposed alternative.
- Developing evaluation methodology with input from affected stakeholders and agencies, and evaluating alternatives using these criteria.
- Participating in various public meetings, if required.
- Supporting any required or desired coordination meetings and activities.
- Developing aerial photographs to be used through the course of the project.

The Project Report may include but not be limited to the following chapter/sections and technical studies/reports.

- A summary section which may include information on project location and background, the current environmental setting, and agency coordination.
- A statement regarding the project purpose and need. This chapter/section may include information on current operational deficiencies, current and future rail traffic conditions and project objectives.
- Conceptual geometric drawings for proposed alternatives.
- A section describing the proposed alternatives and the ultimate preferred alternative, and how they were developed. This section may also include information on proposed engineering features.
- A section analyzing project impacts, including but not limited to, right of way impacts, utility impacts and impacts to adjacent infrastructure.
- A section on the system planning of the project. This section may include discussion on how the project incorporates planning from affected stakeholders and agencies.
- A section on any hazardous material/waste issues.
- A section describing possible traffic management issues that may need further consideration.

- A section describing the environmental constraints considered during project development.
- A section describing permits that may be required for construction.
- A section discussing the current funding sources and estimated schedule.
- A section of recommendations.

Environmental Services Scope

CONSULTANT shall provide both technical and administrative environmental services consistent with obtaining the necessary environmental approvals. Additionally, CONSULTANT will be required to provide additional services as needed to obtain PA&ED.

It is not the intent of the following paragraphs to relieve CONSULTANT of professional responsibilities during the performance of this Scope of Services. In all instances where CONSULTANT believes this Scope of Services has not identified requirements that may be pertinent to clearing the project environmentally, CONSULTANT shall promptly notify AUTHORITYS's Contract Manager of CONSULTANT's opinions with evidence thereof.

CONSULTANT shall provide a project approach or management plan that defines the basic schedule and work tasks.

Environmental Document and General Activities

CONSULTANT shall follow a work process that ensures that the objectives of the agencies involved and that of state and federal agencies are accommodated. Additionally, any and all legal and procedural requirements for state and federal agencies must be met. This process may include but not be limited to the following general activities and studies:

- Preparing an Environmental Assessment (EA)/Initial Study (IS) if needed.
- Publishing applicable notices and/or sending notices to various agencies and other interested parties.
- Preparing and circulating draft environmental studies.
- Participating in various public meetings; if required.
- Responding to comments and finalizing environmental studies.
- Providing support through final agency decision and project certification.
- Publishing of various notices and filings of the environmental document
- Providing support for any required or desired coordination meetings and activities.
-

The environmental document will include various chapters, sections, studies and appendices. Information included for the document may be gathered from many sources as well as studies and analyses that CONSUYLTANT may perform. The following is a listing of the content that may be included in the document. CONSULTANT should be aware, however, that the environmental document may require additional information to what is presented in the following.

- Summary section which may include information on project location and background, the current environmental setting, agency coordination, project alternatives and discarded alternative, project purpose and a summary of impacts.
- Statement regarding the project purpose and need. This chapter/section may include information on current operational deficiencies, current and future traffic conditions

and project objectives.

- A section on the preferred alternative and how it was selected.
- A chapter on the affected environment which may include information on aesthetics, geology, soils analysis, hydrology, flood plains, wetlands, cultural resources, air quality, noise, land use, parks, hazardous waste, traffic circulation and socioeconomic aspects. Additionally, the environmental consequences (effects) and mitigation measures of the foregoing should be addressed. CONSULTANT may also be required to address unavoidable adverse environmental impacts, the relationship and cumulative impacts versus long term productivity of the environment, growth inducement and cumulative impacts thereof.
- The environmental document may also include information on agency/organization and public consultation, persons that were involved with the environmental document preparation, technical appendices and otherwise, a list of required permits, a bibliography and index.
- Existing Land Use Inventory
- Possible existing biological surveys/inventories
- Inventory of section 4(f) properties
- Existing housing surveys
- Public services surveys

Technical Studies

CONSULTANT may be required to perform technical studies and/or review data including but not limited to the following.

- Air quality
- Hazardous waste
- Noise
- Biological resources
- Cultural resources
- Water quality
- Visual impact study including preparation of exhibits and participation in public meetings
- Potential effects of the project on endangered species may also need to be examined.
- CONSULTANT may be required to prepare an environmental checklist, which may include analysis of impacts to physical, biological and social/economic effects. CONSULTANT shall provide written narrative to support the checklist.
- As-built plans of existing infrastructure
- Geologic and seismic data for the project area.
- Hydrology and drainage information.

Submittal of Studies, Reports and other deliverables

1. All deliverables shall be prepared in accordance with Caltrans and FHWS requirements. CONSULTANT shall submit all deliverables to AUTHORITY and Caltrans for review.
2. CONSULTANT shall respond to all comments received from AUTHORITY, FHWA, Caltrans, and the local jurisdictions and resubmit deliverables as directed.
3. CONSULTANT shall support any and all studies, analyses and requirements needed to

successfully complete the environmental requirements of the project.

D. FURNISHED MATERIALS

AUTHORITY will provide CONSULTANT with a copy of the approved Project Study Report.

E. ADMINISTRATION

AUTHORITY Project Management and Administration

A As part of their management activities AUTHORITY shall:

1. Conduct ongoing reviews of CONSULTANT's progress in performing the work and furnish technical comments in a timely manner.
2. Review certain types of correspondence such as, work requests to subconsultants, initial contact letters, sensitive correspondence, and other letters as necessary.
3. Coordinate the distribution of public information.
4. Review CONSULTANT's Quality Control Plan and CONSULTANT's conformance to its Quality Control Plan.
5. Provide a focal-point contact for all questions, requests, and submittals.
6. Review the Project Control documents (including subconsultants) submitted by CONSULTANT to ensure their understanding of the level of information required, reporting procedures, report cycle, and the intended use of each.
7. Review CONSULTANT's detailed Critical Path Method (CPM) Logic Network Schedule; note any additions, deletions, or other changes; and return it to CONSULTANT with comments for revision.
8. Receive and review monthly progress reports from CONSULTANT.
9. Review with CONSULTANT, requests for change orders and/or extensions of time when such requests are determined to be necessary.
10. Have final review and approval over all contractual payments and changes.

CONSULTANT Project Management and Administration

A. CONSULTANT management activities include, but are not limited to:

1. Establishing, furnishing, and maintaining suitable office facilities to serve as the Contract office for the duration of the Contract in the location specified in CONSULTANT's proposal.
2. Maintaining an adequate staff of qualified support personnel to perform the work necessary to complete the Project.

3. Establishing internal accounting methods and procedures acceptable to AUTHORITY for documenting and monitoring Contract costs.
 4. Providing cost-to-date, schedule, progress, staffing, and related data to AUTHORITY as a part of the regular monthly progress and payment process.
- B. CONSULTANT's work shall be performed and/or directed by those key personnel identified in their proposal. Any changes in the indicated key personnel shall be subject to prior review and approval by AUTHORITY in writing. Any change in CONSULTANT's officer-in-charge of the Services, as described in the General Terms and Conditions of this Contract, shall be subject to prior review and approval by AUTHORITY.
- C. Due to the nature and scope of the required services, it may be desirable for the CONSULTANT to subcontract portions of the Services. Adding Subconsultants to the original proposal team must be approved in writing by AUTHORITY prior to initiation of any Services. Due to the nature and proportional amounts of engineering and environmental work, there could be instances whereby a subconsultant's portion of the project is greater than 49%. In the event this occurs, CONSULTANT shall bring it to AUTHORITY's attention immediately. AUTHORITY's Contract Manager will have the authority to grant exception. Throughout this effort CONSULTANT shall be the single source of contact and management of all subcontractors. Subcontractor management will include the coordination time required for all aspects of the project including design, processing, and accounting.
- D. CONSULTANT shall provide to AUTHORITY copies of all written correspondence between CONSULTANT and any party pertaining specifically to the Project. Copies shall be furnished within five calendar days of receipt of said correspondence from any party, or five calendar days prior to mailing of correspondence to any party for review. CONSULTANT is also responsible for recording and distributing the minutes of all meetings pertaining to the Project at which CONSULTANT is present.
- E. CONSULTANT shall give written notice to AUTHORITY within seven (7) working days after CONSULTANT knows or should know of any cause or condition which might, under reasonable foreseeable circumstances, result in delay for which CONSULTANT may request an extension of time to complete Services.

Project Controls

- A. As part of the Project Controls effort CONSULTANT shall, at the introductory meeting, present AUTHORITY with samples of their proposed project control documents for AUTHORITY's review. These documents shall include, but are not limited to:
1. Bar Chart(s) Schedules
 2. Progress Curve(s)
 3. Sample Amendment Format
 4. Sample Narrative Format(s)
 5. Sample Estimate Format(s)

6. Earned Value Cost Report

B. CONSULTANT's Project Control System shall be able to:

1. Determine the critical path for the Services in Contract.
2. Forecast dates for intermediate milestones and project completion.
3. Provide a clear format to incorporate progress data on each activity.
4. Provide reports showing actual progress compared to scheduled (planned) progress, and actual cost of services performed compared to (1) budgeted costs for services performed and (2) budgeted cost for services scheduled.
5. Forecast possible delays and/or resource shortages.
6. Provide a basis for preplanning, including resource usage to recover from delays, allow schedule improvement, or accommodate other changes in the work.
7. Provide projected manpower requirements and dollar costs based on current performance.
8. Provide current project cost estimate information.
9. Provide all the estimates necessary to assist in confirming the construction budget.

C. Within 15 working days (or as requested by AUTHORITY) of assignment of services the CONSULTANT shall submit to AUTHORITY for their review, a Bar Chart Schedule showing the Critical Path and identifying all project development activities and milestones. AUTHORITY will review these documents and return them to CONSULTANT with notes and comments as soon as possible in order to validate the planning and cost control procedures within the first calendar month of performance period.

D. As the Contract work progresses, CONSULTANT may discover the need to change the schedule to improve productivity or accommodate new or changed conditions. Any proposed change to the schedule shall be presented to AUTHORITY for review and validation prior to incorporation in the schedule.

E. CONSULTANT shall report in a timely manner, through correspondence or progress reports, whenever it appears that approved schedules will not be met whether or not the reasons are within the CONSULTANT's control. In the event the Scope and Schedule of the Services is modified, and the modified Schedule is approved by AUTHORITY, CONSULTANT shall submit a revised Milestone Schedule. CONSULTANT shall perform the Services in accordance with the latest approved revision Milestone Schedule.

Monthly Progress Reports

- A. On a monthly basis, CONSULTANT shall prepare and submit to AUTHORITY a monthly status report that indicates the work progress achieved during the period. The report shall summarize the actual work progress compared with estimated progress and will identify problem areas, provide evaluations, recommendations and an outline on the process which

CONSULTANT, and AUTHORITY will follow to rectify the problem(s). The progress report shall be submitted with the monthly invoice. As a minimum, the monthly report should address the following specific areas:

1. Time related project status via a bar chart schedule
 2. Physical progress
 3. Amendment summary history
 4. Narrative status report
 5. Earned Value Report
 6. Graphical comparisons for actual progress vs. earned and planned progress for: physical (%complete), performance (hours complete) and cash flow.
- B. CONSULTANT shall have the ability to monitor and update its Detailed Project Control Schedule during the execution of the work and shall submit at each Progress Meeting, an updated four-week, horizon schedule to be used in monitoring the progress of the work.
- C. A Progress Meeting between CONSULTANT, Caltrans, and AUTHORITY shall be held, at minimum, on monthly basis to discuss the design progress, potential problems, plans for the next period, and other progress issues. AUTHORITY and Caltrans will establish with CONSULTANT the dates and times of these meetings. Three calendar days prior to each progress meeting, CONSULTANT shall provide AUTHORITY with a typewritten agenda for the meeting. CONSULTANT shall prepare typewritten meeting minutes and submit them to AUTHORITY and Caltrans within seven calendar days after the meeting. The minutes shall indicate issues discussed and the resolution or action required to resolve any issues.
- D. Project Coordination Meetings may be called by AUTHORITY, Caltrans or the CONSULTANT at any time that any party requires discussion of Project issues. CONSULTANT shall prepare minutes of the meeting and submit them to AUTHORITY and Caltrans.

Quality Assurance

- A. CONSULTANT has total responsibility for the accuracy and completeness of all deliverables and any other work assigned to CONSULTANT. All services and deliverables furnished under this Scope of Services shall meet that responsibility through the implementation of a Quality Assurance Plan. CONSULTANT's Quality Assurance Plan shall be in effect throughout the entire Contract and, at minimum, shall establish the process necessary to ensure the following:
1. All deliverables and services shall be provided in a professional manner and meets the standards set forth herein.
 2. CONSULTANT shall maintain a set of project files that are indexed in accordance with Caltrans' Project Development Uniform File System.

- B. CONSULTANT shall submit to AUTHORITY within 30 calendar days after receipt of Notice to Proceed two copies of their Quality Assurance Plan. AUTHORITY will review the plan established by CONSULTANT to determine if quality assurance procedures are adequate and appropriate to the complexity of the project requirements. Review comments will be returned to CONSULTANT within 14 calendar days. If appropriate, the revised plan, which incorporates the comments of AUTHORITY, should be resubmitted within seven calendar days of receipt of comments.
- C. Evidence that the Quality Assurance Plan is functioning will be periodically confirmed by AUTHORITY. Deliverables that do not conform to the approved plan will be returned to CONSULTANT without review by AUTHORITY.

Reproduction Services

CONSULTANT shall provide the reproduction services required for the projects inclusive of the number of individual sets to be delivered for the submittal tasks outlined in this Scope of Services.

Submittal and Reviews

- A. Reports prepared by CONSULTANT shall be submitted in draft form, and opportunity provided for AUTHORITY and Caltrans to review and direct revisions prior to formal submittal. If so requested by AUTHORITY and Caltrans, CONSULTANT shall make other submittals in draft form to provide opportunity for review and revisions.
- B. If CONSULTANT fails to submit the required deliverable items set forth in this Scope of Services, AUTHORITY shall have the right to withhold payment and/or terminate CONSULTANTS contract in accordance with the provisions entitled "Termination" included in this Contract.

ATTACHMENT B -SCOPE

I-10 HOV LANES PROJECT REPORT & ENVIRONMENTAL DOCUMENT SCOPE OF WORK

PROJECT DESCRIPTION/LOCATION

The I-10 HOV project proposes to construct an HOV lane in each direction from Haven Avenue in the City of Ontario to Ford Street in the City of Redlands. The proposed project will consist of widening existing roadbeds and undercrossings, reconstruction of several overcrossings, realignment of on/off ramps, auxiliary lanes, and drainage improvements. The total project length is approximately 25 miles.

COORDINATION

Parsons Transportation Group (PTG) shall coordinate with project stakeholders, which include among others: the Cities of Ontario, Fontana, Rialto, Colton, San Bernardino, Loma Linda, Redlands, the County of San Bernardino, Caltrans, FHWA, SANBAG, and resource agencies.

STANDARDS

All project deliverables and related material shall be prepared in accordance with current Caltrans and Federal Highway Administration (FHWA) regulations, policies, procedures, manuals, and standards. All studies, reports and deliverables will employ US Customary units.

SCOPE OF SERVICES

The scope of services to be provided under this contract includes the necessary tasks and activities that are required for obtaining Project Approval and Environmental Document (PA&ED). The scope of services includes project management, engineering, and environmental tasks, as described below. Any additional tasks or activities that become necessary as the project progresses which are not described herein or are not generally considered incidental to these tasks and activities shall be considered extra work and could be added to this scope of work subject to an amendment.

1.0 Project Management

PTG will provide project management and coordination during execution of the project, consisting of the following activities:

Project Controls & Administration

Acting as prime consultant, PTG will execute subcontracts with seven (7) sub consultants and direct their work. Prime contract terms and conditions will be incorporated into the subcontract agreements. PTG will be the primary contact for SANBAG. Under this task, PTG will also address matters relating to the

contract with SANBAG. This task will also include communication/coordination efforts by the Project Manager as part of the overall management of the project.

PDT Meetings

Monthly Project Development Team (PDT) meetings will be held at SANBAG, or at Caltrans District 8 in San Bernardino. The purpose of these meetings will be to discuss and resolve project issues and coordinate activities. PTG will prepare and distribute agendas prior to the meetings. PTG will prepare meeting minutes and distribute them within five (5) working days of the meetings. It is assumed there will be 36 PDT meetings during the 36-month duration of this contract.

Stakeholder & Other Coordination Meetings

Individual focused meetings will be held with various agencies and stakeholders involved in the project. These may include State and/or Federal Resource agencies, Flood Control and Water Conservation Districts, rail road and utility companies, and others. It is assumed no more than twenty (20) such focused meetings will be held during the life of this contract.

Scheduling/Progress Reporting and Invoicing

Progress reports will be prepared and submitted every month describing work accomplished during the reporting period, summary of meetings held, and discussion of outstanding issues and action items. The reports will also include any concerns or significant issues with recommendations for appropriate actions. A total of thirty-six (36) progress reports are anticipated. PTG will develop a detailed schedule for the project using Microsoft Project and update it monthly.

Quality Control

PTG's quality control program will be implemented and maintained throughout the project. The Project Manager will insure that quality control procedures are initiated at the start of the project, and that all PTG staff and subconsultants implement these procedures, and/or PTG will review QC plans submitted by the subconsultants to ensure that their plans are acceptable.

Deliverables

- Meeting Agendas and Minutes
- Progress Reports and Invoices
- Schedule Updates
- Project Management Plan / Project Quality Control Plan

2.0 Preliminary Engineering

PTG will develop and evaluate two (2) build alternatives, as well as the no build alternative. The cost proposed for analysis of alternatives is based on the footprint and project limits as described in the Project Study Report – Project Development Support (PSR-PDS) document dated 12/8/2006.

2.1 Data Collection & Field Reviews

PTG will review information assembled and developed during the preparation of the PSR-PDS, as built plans, existing engineering reports and studies, right-of-way information, and any other existing information pertaining to the project. PTG will assess additional data needs required for preliminary engineering in support of the environmental document.

Deliverables

Existing R/W Maps

As-built Plans

Accident Data

CADD files (from PSR/PDS)

Other information provided by Caltrans and/or SANBAG

2.2 Design Surveys/Digital Mapping

The following Survey and Mapping tasks will be provided by David Evans & Associates for the preparation of the Project Report (PR) and Environmental Document (ED) for the proposed improvements to Interstate 10 from Archibald Avenue in the City of Ontario to Ford Street in the City of Redlands.

Aerial Mapping – 40 Scale

In conformance with Caltrans CAD mapping standards and specification, aerial mapping will be provided for the project corridor. Horizontal and Vertical aerial control panels will be set to meet aerial triangulation requirements. The mapping will be prepared to 1" = 40' scale with 1-foot contours and will be delivered in a Microstation v8 format or latest acceptable to Caltrans at the time the task is initiated. The aerial mapping will cover a swath 2000-feet wide centered on the apparent centerline of Interstate 10. The aerial mapping will be tied into North American Datum of 1983 (NAD83) and the North American Vertical Datum of 1988 (NAVD88) or as specified by the client.

If requested, a digital orthophoto with 3" pixel resolution can be prepared from the 40-scale imagery for an additional fee. The digital orthophoto will cover up to a 2000-foot swath centered on the apparent centerline of Interstate 10.

Schedule: The aerial mapping can be delivered within eighteen (18) working weeks of written notice to proceed. The aerial mapping can be separated into 5-mile segments for a more rapid delivery schedule. The overall time to complete the entire 25-miles will remain at eighteen weeks; however the first segment can be delivered within 6 weeks of notice to proceed and subsequent segments will be provided every two weeks thereafter.

Centerline and Right-of-Way Delineation

Right of Way engineering support will be performed as needed. This would include providing the location of existing record rights-of-way and computing proposed right-of-way for property valuation and assessment.

Complete research within Caltrans District 8 and the County of San Bernardino for existing centerline and right-of-way files and/or all available cadastral records in support of the centerline and right-of-way of Interstate 10 and adjacent and intersecting rights-of-way along the project corridor as stated above.

Field surveys to locate key monuments in support of record right-of-way and centerline calculations. The centerline and right-of-way will not be surveyed. Only key monuments will be located in order to calculate record information and prepare a digital Right-of-Way CAD file.

Base maps will be prepared at a scale comparable to the aerial mapping and will include said record centerline and right-of-way limits as well as underlying cadastral information, ownership information as recorded with the San Bernardino County assessor's office. All this data will be incorporated with the aerial mapping and delivered in a Microstation v8 format or latest acceptable to Caltrans at the time the task is initiated.

Schedule: The record right of way base map can be delivered within twelve (12) working weeks of written notice to proceed.

Supplemental Topo Surveys

Supplemental topographic surveys will be performed as needed to locate large drainage structures, box culverts, bridge structures and other major features along the corridor to support the preliminary design studies of alternatives. The topographic survey information will be plotted at a scale comparable to the aerial mapping in a Microstation v8 format.

For the purposes of this cost estimate, 170 field hours have been included along with associated office and management hours.

2.3 Drainage Studies

PTG will conduct a project drainage assessment which will include preliminary hydrologic analysis sufficient for the purpose of the environmental document. The scope will also include preliminary hydraulic analysis, sizing, and pricing of the cross-culverts/bridges along I-10 within the project limits, for the two build alternatives. The proposed cross-culverts/bridges will be sized to avoid significant impacts to the 100-year floodplain. Detailed hydrologic modeling is not required at this stage of design and hence is not included in the scope. PTG will visit the project site to assess the existing drainage patterns. PTG will evaluate historical flooding records, such as aerial photographs and high watermarks covering a span of several years. A preliminary hydraulic analysis will be

conducted to estimate the size and cost of needed cross-culverts and/or bridges for the two build alternatives. The findings from this drainage study will be documented in a report. The report will address issues on the two build alternatives that will be included in the draft environmental document.

Deliverable

Draft and Final Drainage Study Report

Assumptions:

A total of three reviews for the Drainage Study Report.

2.4 Traffic Modeling & Operational Analysis

The study area for the traffic analysis includes I-10 from Haven Avenue to Ford Street, including the freeway mainline and ramps plus ramp intersections at the interchanges in that study area.

Existing Conditions: Kimley Horn & Associates (KHA) will document the existing number of lanes along each segment of the corridor using aerial photography, and create a schematic lane diagram of existing lanes. KHA will also document the existing lane geometry at each of the ramp intersections at freeway interchanges in the corridor (50 intersections)

KHA will obtain from Caltrans available mainline traffic counts and ramp counts within the study area, as well as available data on HOV lane volumes on I-10 west of Haven Avenue. KHA will obtain from the local jurisdictions available counts at ramp intersections. For ramp intersections where recent counts are not available, new AM and PM peak turning movement counts will be conducted on a typical weekday (up to 50 intersections).

KHA will use the traffic count data to develop a consistent scenario of existing AM peak hour and PM peak hour traffic volumes on the ramps and the I-10 freeway mainline, in which the mainline volumes balance with the ramp volumes throughout the corridor. KHA will also document the existing average daily traffic (ADT) volumes on each segment of I-10.

KHA will calculate existing levels of service through each merge point, diverge point, and weaving section of the study area, using the Highway Capacity Manual software. KHA will calculate existing AM and PM peak hour levels of service at ramp intersections using the Highway Capacity Manual method in the Synchro software package.

Travel Forecasting Model Development and Validation: Based on our conversations with the SANBAG Principal Planner for transportation, it is assumed that the San Bernardino Valley Focus (SBVF) Model will be the travel demand forecast tool used for this project. Prior to initiating modeling activities,

KHA and PTG will prepare a modeling methodology technical memorandum that documents the proposed methodology for modeling and post-processing the model outputs.

To provide appropriate interchange traffic loadings, the model will need additional zone detail in the western portion of the corridor. KHA will identify appropriate boundaries for splitting zones. SANBAG will provide socioeconomic data (SED) inputs to the model for the existing (base year) condition at the refined TAZ level. PTG will modify the model network and zone system to incorporate the zone splits. After the model refinements are complete, PTG will run the model for the base year condition, and KHA will compare the freeway and ramp volumes with traffic counts, and collaborate with PTG to identify appropriate adjustments to improve the model's ability to replicate the freeway volumes. Up to three model validation runs will be performed (with appropriate adjustments determined in consultation with SANBAG staff prior to each run) to improve the model's ability to replicate existing daily and peak hour volumes on the freeway. From the validated model, PTG will provide base year model estimates of AM peak, PM peak, and total daily traffic on each mainline segment and each ramp, as well as turning movement volumes at each ramp intersections. These will be used in the post-processor. PTG will also provide the model's estimates of current HOV demand in the corridor.

Future Baseline Conditions: KHA will consult with SANBAG and Caltrans to confirm appropriate network assumptions for the Future Baseline (No Build) scenario. PTG will incorporate the zone splits, network refinements, and model adjustments into the Future Baseline scenario. SANBAG will provide SED inputs to the model for the future (Year 2035) condition at the refined TAZ level. PTG will prepare travel demand forecasts for the Future Baseline condition. KHA will post-process the model outputs, and use the post-processed forecasts for the analysis of future conditions. KHA will document average daily traffic volumes on the freeway by segment, and will evaluate AM and PM peak hour levels of service for the freeway mainline (by segment), merge and diverge points, weaving sections, and ramp intersections.

Future Conditions with Project: It is understood that the two Build alternatives are differentiated by design options for adding an HOV lane to I-10 through the study area, and freeway access and HOV lane access will be essentially the same in each of the two Build alternatives. So for traffic forecasting purposes, only a single "Build" forecast is needed, though the traffic analysis will be evaluating traffic conditions for two different alternatives (since the design options, such as auxiliary lanes) will result in different traffic conditions.

PTG will code the HOV lanes into the future model network and prepare travel demand forecasts for the Future with Project (Year 2035 with HOV lanes) condition. From the model, PTG will provide traffic forecast outputs, demand estimates for the HOV lanes, and estimates of mode split changes due to the

existence of the HOV lanes. KHA will post-process the model outputs, and use the post-processed forecasts for the analysis of future conditions.

KHA will document average daily traffic volumes on the freeway and in the HOV lanes (by segment), and will evaluate AM and PM peak hour levels of service for the freeway mainline (by segment), the HOV lanes, freeway merge and diverge points, weaving sections, ramp intersections, and weaving sections for HOV lane entry/exit. If the model outputs indicate HOV lane demands exceeding the capacity of the lanes, KHA and PTG staff will work with SANBAG staff to identify appropriate assumptions and methods for manually adjusting the forecasts to reflect acceptable operation of the managed (HOV) lanes.

Evaluation of "Local Configuration Alternatives": There are expected to be some situations in which the design process identifies design options that affect freeway access or freeway operations in localized areas. To evaluate the traffic conditions resulting from the design options in these localized areas, the travel forecasting model will be run (if needed), and traffic analysis will be conducted on those operational elements that are directly affected by the design option. Up to four such analyses will be performed.

Accident/Safety Analysis: KHA will obtain current accident data from Caltrans (TASAS or SWITRS) and document recent accident rates along each part of the corridor and the accident types. KHA will evaluate future conditions without and with the HOV lanes in light of the types of accidents experienced and how each type would be expected to be affected in the future condition. The quantitative analysis of accident data will apply to both "build" alternatives and a qualitative discussion will be prepared that will provide a comparison between the two build alternatives.

Traffic Simulation Modeling: There are expected to be situations for which detailed traffic operations simulation are desired by SANBAG in order to understand the traffic operations of a localized area and how a design option would affect traffic operations and traffic queuing and delay through the area. An example would be the eastbound I-10 freeway through the I-215 interchange and the adjacent interchange with Waterman Avenue. To model traffic operations in such an area, KHA will develop a traffic simulation model using VISSIM software. The level of effort to develop and calibrate these models varies substantially based on the size and complexity of the area being modeled, so for purposes of preparing the project budget we have included an estimate that we believe would provide for VISSIM modeling of six localized areas of the freeway. When the project is underway and specific areas are identified for modeling, we will prepare a more refined cost estimate.

Traffic Technical Report: KHA will prepare a Draft Traffic Technical Report that documents the data, assumptions, methodologies, findings, and results of the traffic analysis. The Draft Report will be developed from the technical

memoranda prepared for each task described above. KHA will incorporate responses to comments on the Draft Report from SANBAG and Caltrans into a Final Traffic Technical Report.

Deliverables

KHA will deliver 15 printed copies of each technical memorandum, 25 copies of the Draft Report, and 25 copies of the Final Report, plus a pdf electronic copy of each deliverable.

- Technical Memorandum: Existing Conditions
- Technical Memorandum: Modeling Methodology
- Technical Memorandum: Travel Forecast Model Documentation and Validation
- Technical Memorandum: Future Baseline Conditions
- Technical Memorandum: Future Conditions With Project
- Technical Memorandum: Traffic Impacts of Local Configuration Alternatives
- Technical Memorandum: Traffic Operations Results of Traffic Simulations
- Draft Traffic Technical Report
- Final Traffic Technical Report

Assumption

Future traffic forecasts will be prepared for only one future horizon year.

2.5 Utility Coordination

PTG will identify the existing utilities affected by the project, and estimate costs associated with utility relocations for the two build alternatives. PTG will gather as-built information on the existing utilities in the project area from Caltrans and from the cities along the I-10 corridor within the project limit. PTG will contact each of the utility companies in the area and obtain their plans for future facilities. This information will be utilized during refinement of project alternatives. Existing utility owner prior rights or needed agreements will be identified by PTG. PTG will identify conflicts and relocation requirements and will prepare an approximate cost estimate for the relocation.

Deliverables

- Preliminary utility location plans.
- Cost estimates for utility relocations.
- Conflict maps.
- Utility Coordination Meetings (10)

2.6 Geotechnical

Earth Mechanics, Inc. (EMI) will provide geotechnical support on the following design elements:

- Prepare a Preliminary Foundation Report (PFR) to support the Advance Planning Study (APS) for each bridge.
- Prepare a Preliminary Materials Report for the entire project.
- Provide geologic and seismic input to the environmental document.
- Conduct a fault rupture investigation to assess impacts on selected bridges.

Preliminary Foundation Report (PFR) to Support Advance Planning Study (APS)

A Preliminary Foundation Report (PFR) will be required for each bridge to support the development of the APS (a total of 51 bridges will either be replaced or widened). The PFR's will be in a memorandum format acceptable to Caltrans following the requirements outlined in Caltrans Guidelines for Foundation Investigations and Reports dated March 2006 or latest available at the time the task is initiated. No field exploration will be performed for this task. The following scope of work is anticipated to prepare these PFR's.

EMI will determine the causative fault and distance between the causative fault and bridge site using the 1996 or latest available Caltrans Seismic Hazard Map. The peak bedrock acceleration based on a maximum credible earthquake event and the resulting ARS curve will be developed per Caltrans Seismic Design Criteria (SDC) dated June 2006. Results of the fault rupture investigation, if available, will be included.

As-built data for the structures will be reviewed to develop an understanding of subsurface conditions and foundations used. Based on the available subsurface data, preliminary soil profiles and strength parameters will be developed for foundation analyses.

Based on the preliminary subsurface profiles and strength parameters developed for the structures, preliminary foundation sizes and lengths will be provided to the designers. Depending on the findings of the fault rupture investigation, we may need to supplement the above foundation data with existing foundation retrofit parameters such as axial and lateral capacities and stiffness coefficients; calculations may need to be performed to develop foundation retrofit alternatives for preliminary construction cost estimates.

The PFR will also include a section detailing the subsurface exploration program proposed for the structures. The section will include the number of borings proposed and anticipated depths of explorations.

Preliminary Materials Report

Caltrans has recently started requiring Preliminary Materials Report (PMR, sometimes called Preliminary Roadway Geotechnical Design Report or PGR) for

any project that includes new pavement or pavement widening within Caltrans right-of-way. The PMR will be in a memorandum format consistent with Caltrans current guidelines and will include information such as the proposed improvements, existing pavement structural sections and new preliminary structural sections for widening and new roadway. The new section will be based on assumed designed R-values and Traffic Indices provided by Caltrans. PTG will provide EMI with as-built plans showing existing pavement sections. No field exploration will be performed for this task. Our understanding is that pavement deflection tests are not required during this early phase of the project and are not included in the scope.

Geologic and Seismic Input to Environmental Document

We will provide geologic and seismicity write-ups for the environmental document. Phase I (ISA) and Phase II investigation (if required) will be performed by others.

Fault Rupture Investigation

The project area is within several densely clustered earthquake alignments such as the Fontana seismic zone, the San Jacinto seismic zone, and the Loma Linda seismic zone. The area is traversed by several known surface faults like the San Jacinto fault, and by several poorly known faults such as the San Bernardino Valley fault, the Loma Linda fault, and the Rialto-Colton fault. The most recent surface rupture of the San Jacinto fault is identified as an Earthquake Fault Zone (formerly an Alquist-Priolo Special Studies Zone). In addition, the Loma Linda and at least one unnamed surface fault zone are also designated as an Earthquake Fault Zone. Little is known about these faults, partly because the area was settled and built over, obscuring most of the natural geomorphic features that could be used to prove or disprove that these faults are not active.

A similar situation to that discussed above occurred in proximity to the planned SR-210/I-215 interchange. No faults were known in that area until EMI conducted an aerial photograph analysis using old aerial photographs and identified numerous subtle lineaments. These features were investigated by excavating trenches across the lineaments and several of them were found to be active faults.

Compiling and reviewing more recent data and review of a few recent aerial photographs suggest the presence of lineaments at several of the proposed bridge sites. Several of these were identified in the Request for Proposal, but others may also be crossed by lineaments that might be active faults.

Previously identified structures with possible faults (referred to herein as First Tier Structures) are:

- Pepper Av OC
- Colton OH
- Rancho Av OC
- La Cadena Dr UC

- Ninth St UC
- Waterman Av UC
- Hunts Lane UC
- San Timoteo Creek Bridge

In addition, several other structures appear to be crossed by lineaments; these are referred to as Second Tier structures and are:

- Slover Mt. UP
- Warm Creek Bridge
- Tippecanoe Av UC
- Highland Av UC
- Mt. Vernon Av OC
- Santa Ana River Bridge
- Richardson St OC
- Redlands Blvd UC

We propose to conduct an aerial photography analysis of structures using the earliest aerial photographs (1930s vintage) before the area was highly developed to determine whether there are lineaments that may represent active faults. If suspicious lineaments are discovered, we propose to excavate trenches across these lineaments to evaluate the potential for surface faulting at the structures. Our preliminary reconnaissance has shown that there are many potentially suitable trenching locations. Many of these locations are located within railroad right-of-way and some are inside private properties. Therefore, EMI would need SANBAG's assistance to apply for encroachment permits; but it may be a challenge to obtain the permits for the trenching work at some locations. The trench backfill will be properly compacted and tested. In the few locations where trenches can't be adequately sited, we propose to conduct short geophysical surveys (i.e. 500-1000 feet long) to determine the subsurface geologic structure.

A preliminary cost estimate is provided based on the premise that all of the above-listed structures will need to be trenched. However, this will not be known until the aerial photography analysis is conducted. If no lineaments are found at a particular structure, no trenches would be required, thereby reducing the cost.

Prior to initiating any work, we propose a joint meeting with Caltrans, SANBAG and PTG designers to refine the above work plan. In this meeting, we will also discuss the content of the work product. It is imperative that we obtain Caltrans concurrence on this fault rupture investigation.

Deliverables (Tier 1 Structures Only)

- A Preliminary foundation report for each bridge.
- A Preliminary Materials Report.
- Geologic and seismicity write-ups for input to the environmental document.
- Fault-rupture investigation report.

2.7 Preliminary Structural Studies (Advanced Planning Studies)

PTG and David Evans Associates (DEA) will develop preliminary structures design(s) for the purpose of establishing reliable cost estimates and evaluating any potential environmental impacts. PTG/DEA will prepare Advanced Planning Study (APS) for the bridges listed below within the project limits. The available existing data that are related to or would influence the design of the structures will be collected and reviewed. This includes hydrologic information, site seismicity, geotechnical information and reports, and right of way information.

Deliverables

- APS, preliminary foundation report, APS checklist (For each bridge listed below).
- Design memo and itemized cost estimates will be delivered per Caltrans' OSFP information and Procedures Guide dated June 2002 or latest.

Bridge #	Bridge Name
54 0351	DAY CANYON CHANNEL
54 0378L	ETIWANDA WASH
54 0378R	ETIWANDA WASH
54 0378S	ETIWANDA WASH
54 0463	ETIWANDA AVENUE OC
54 1214K	VALLEY BLVD ON-RAMP SEP
54 0030L	VALLEY BLVD OFF-RAMP UC
54 0030R	VALLEY BLVD OFF-RAMP UC
54 0454L	ETIWANDA-SN SEVN FLOOD CNTL CH
54 0454R	ETIWANDA-SN SEVN FLOOD CNTL CH
54 0416	KAISER SPUR OH
54 0434	SAN SEVAINE CREEK
54 0425M	MULBERRY CREEK
54 1169	SIERRA AVENUE OC
54 1116	RIALTO CHANNEL
54 0531	PEPPER AVENUE OC
54 0835	SLOVER MOUNTAIN UP
54 0817	RANCHO AVENUE OC
54 0464R	COLTON OH
54 0464L	COLTON OH
54 0462	LA CADENA DRIVE UC
54 0462S	LA CADENA DR UC (EB OFF)
54 0461	NINTH STREET UC
54 0861K	PAVILLION S OH OFF-RAMP
54 0460	PAVILLION SPUR OH
54 0459	MOUNT VERNON AVENUE OC
54 0830L	WARM CREEK
54 0830R	WARM CREEK
54 0292G	SANTA ANA RIVER (EB-10 TO N/S
54 0292R	SANTA ANA RIVER

54 0292L	SANTA ANA RIVER
54 0601	HUNTS LANE UC
54 0600	WATERMAN AVENUE UC
54 1105K	SAN TIMOTEO CREEK (W10 ONRAMP
54 0599	SAN TIMOTEO CREEK
54 0598	TIPPECANOE AVENUE UC
54 0597	RICHARDSON STREET OC
54 0596	MOUNTAIN VIEW AVENUE UC
54 0570	WEST REDLANDS OH
54 0595	CALIFORNIA STREET UC
54 0594	NEVADA STREET UC
54 0593	ALABAMA STREET OC
54 0931H	LUGONIA AVENUE UC (I10-W30)
54 0592	TENNESSEE ST UC
54 0930F	TENNESSEE STREET UC (W10-W30)
54 0591	COLTON AND NEW YORK AVENUE UC
54 0583	TEXAS STREET UC
54 0580	EUREKA STREET UC
54 0581L	INTERSTATE 10 / STATE ROUTE 38
54 0581R	INTERSTATE 10 / STATE ROUTE 38
54 0579L	SIXTH STREET UC
54 0579R	SIXTH STREET UC
54 0578L	CHURCH STREET UC
54 0578R	CHURCH STREET UC
54 0472L	REDLANDS OH
54 0472R	REDLANDS OH
54 0582L	UNIVERSITY STREET UC
54 0582R	UNIVERSITY STREET UC
54 0584L	CITRUS AVENUE UC
54 0584R	CITRUS AVENUE UC
54 0585L	CYPRESS AVENUE UC
54 0585R	CYPRESS AVENUE UC
54 0586L	PALM AVENUE UC
54 0586R	PALM AVENUE UC
54 0587L	HIGHLAND AVENUE UC
54 0587R	HIGHLAND AVENUE UC
54 0588L	FORD STREET UC
54 0588R	FORD STREET UC
54 0589L	REDLANDS BLVD OFF-RAMP UC
54 0589R	REDLANDS BLVD OFF-RAMP UC

2.8 Right-of-Way Requirements

PTG will identify the right-of-way requirements associated with the two build alternatives. Right-of-way information will be digitally overlaid on base maps and potential takes will be identified.

Deliverables

Preliminary Right-of-Way requirement maps.

2.9 Right of Way Data Sheets

Paragon Partners will provide Right of Way Data Sheets for two alternatives including the following information:

- ROW Cost Estimate
- Parcel Data
- Utility Facility Conflicts
- Railroad Facility Conflicts
- Identification of potential hazardous materials sites within project footprint
- Displacement requirements
- Identification of potential Borrow or Disposal Sites
- Potential relinquishments and/or abandonment's
- Existing and/or potential Airspace sites
- Estimated ROW schedule and lead time

PTG will provide Information for the Utility facilities, Railroad facilities, borrow or disposal sites and Hazardous Materials portions of the Data sheet, and will provide right of way alignment maps for each alternative. The Design CADD files will be used to identify the proposed right of way requirements. The proposed right of way requirements will be used with the County assessor parcel information and comparative land values to determine estimated costs. Escalation factors and a narrative for the data sheet will be prepared and incorporated into the data sheet for each alternative.

DELIVERABLES:

- Preparation of Right of Way Data Sheet for (2) two alternatives.

2.10 Geometric Plans & Alternatives Development & Refinement

PTG will continue to refine the two build alternatives based upon comments received through the project development process. Layout sheets at 1"=100' scale will be prepared for the two build alternatives. Preliminary horizontal and vertical alignments, cross sections, typical sections, construction staging/detour concept-drawings, will also be prepared for both alternatives.

Deliverables

Preliminary design drawings for the two build alternatives that can be used for analysis during the development of the environmental document.

2.11 Cost Estimates

PTG will develop cost estimates for the two build alternatives for comparison, leading to the selection of a Preferred Alternative. Cost estimates will be prepared in accordance with the Caltrans Project Development Procedures Manual for projects at the PA&ED phase.

Deliverables

Cost estimates for the two build alternatives to be used in selecting a Preferred Alternative.

2.12 Preliminary Transportation Management Plan

PTG will establish TMP strategies and estimate their respective costs. This includes determining the feasibility of using surface streets for traffic diversion, and developing traffic handling plans with the project stakeholders, including the cities along the I-10 corridor within the project limits. PTG will coordinate with Caltrans and will update the TMP Data Sheet.

Deliverables

Preliminary Transportation Management Plan (TMP)

2.13 Storm Water Data Report

PTG will evaluate storm water strategies and will prepare a preliminary storm water data report in accordance with Caltrans requirements to document these strategies. It is anticipated that a 'Long Form' Storm Water Data Report (SWDR) will be prepared for the two build alternatives.

Deliverables

Preliminary Storm Water Data Report (SDWR) for the two build alternatives.

2.14 HOV Report

This report will address the effects of the HOV Facility on Safety, Congestion, and Highway Capacity as required under Section 149 of the Streets and Highways Code, and Section 21655.5 of the Vehicle Code. PTG will prepare an HOV Report that will evaluate design and operational details (per Caltrans guidelines) of each of the two build alternatives including:

- Ingress/Egress locations (estimated about 50 locations for each alternative)
- Enforcement area (estimated between 16 to 25 locations for each alternative)

The HOV Report will compare effects on congestion/capacity of each alternative (Caltrans requires analysis to be based on the volume anticipated 5 years after opening the facility to traffic). It will also evaluate the effect on safety using actual and or/expected accident rates for each alternative for 12 months after projected opening. PTG will coordinate approval of this HOV Report with SANBAG, FHWA, Caltrans and the Air Quality Management District. PTG will prepare a draft HOV Report and submit to Caltrans and FHWA for review. PTG will address comments and prepare the final HOV Report.

Deliverables

- Draft HOV Report
- Final HOV Report

2.15 Design Exception Fact Sheets

PTG will identify non-standard design features (Advisory & Mandatory) associated with both build alternatives, and will prepare a list of anticipated design exceptions for (2) alternatives, and then prepare draft and final Fact Sheets for design exceptions that will be proposed. Fact Sheets will be prepared in accordance with Caltrans procedures. Draft Fact Sheets will first be discussed with Caltrans and FHWA staff and will be submitted for review. Comments received will be addressed and final Fact Sheets will be resubmitted and circulated for signatures.

Deliverables

Draft and Final design exception Fact Sheets

Assumptions

The Cost Proposal allows for the preparation of total of (2) fact sheets: (1) for Advisory Design Exceptions, (1) for Mandatory Design Exceptions, for the "preferred" build Alternative only.

2.16 Geometric Approval Drawings (GAD's)

PTG will prepare a set of Geometric Approval Drawings (GAD's) for the preferred alternative. The GAD's will include plans, typical sections, profiles, superelevation, and traffic volumes as described in Caltrans District 8 QC/QA Guide for GAD procedures. PTG will prepare the Design Checklist as described in Caltrans Design Information Bulletin (DIB) 78, and will attend a GAD scoping meeting with Caltrans prior to GAD submittal in order to coordinate any project specific features related to operational analysis or to roadway geometrics. Draft GAD package will be submitted for review. Comments received will be addressed and final GAD's will be submitted for signature.

Deliverables

Draft and Final GAD's

Assumptions:

It is assumed that Caltrans will review and comment (2) times. Once on the Draft GAD's and once on the Final GAD's. If more than (3) submittals of GAD's are required, the additional submittals will be considered extra work.

2.17 Draft Project Report

PTG will develop text, exhibits and cost estimates required for the preparation of the Draft Project Report (DPR), and will prepare a preliminary DPR in accordance with Caltrans Project Development Procedures Manual. Copies of the preliminary DPR will be circulated for comments and review. Comments received will be addressed and a final DPR will be resubmitted and circulated for signatures.

Deliverables**Draft Project Report****2.18 Project Report**

After the distribution of the Draft Project Report (DPR) and Draft Environmental Document, PTG will prepare a draft final Project Report (PR) to document the selection of the preferred alternative and to update the cost estimate. A draft final PR will be circulated for comments and review. Comments received will be addressed and a final PR will be resubmitted and circulated for signatures.

Deliverables**Approved Project Report****2.19 Value Analysis**

It is anticipated that a Value Analysis (VA) study will be done for this project per Caltrans and FHWA guidelines. It is assumed that the VA procedures, the identification of the VA team, conducting the analysis, and preparing the draft and final VA report, would be done by Caltrans. PTG will provide the services of the Project Manager, one Senior Specialist, and one Project Engineer for a period of three (3) days to participate in the VA team meetings. PTG will also provide the services of the Roadway Lead Engineer for one (1) day to participate in the VA team meeting. PTG will also provide copies of project information and data that will be available at the time the VA study will be conducted.

Deliverables

- Three days participation for PM, Senior Specialist, Project Engineer
- One day participation for the Roadway Lead Engineer
- Project Information material (Plans, Estimates, Presentation Boards, etc.)

2.20 Construction Staging

PTG will prepare preliminary construction staging concept drawings for the two build alternatives that will show the sequence of operation, work to be performed, materials to be used, and the routes to be utilized by traffic during each construction phase. The plans will also show long term closures of lanes and ramps, detours, and the number of traffic lanes available for public traffic.

Deliverables**Preliminary Construction Staging Concept Drawings****2.21 Railroad Coordination**

PTG will provide the services of a senior specialist to serve as the railroad coordinator, to perform direct liaison work with the UPRR and BNSF railroad companies, and with Caltrans Office of Structures Design (OSD). The railroad coordinator will assist in determining the level of involvement of the railroad companies, and will request railroad conceptual approval of the proposed

geometrics at locations where railroad involvement is necessary, for both build alternatives.

2.22 Preliminary Traffic Design

PTG will prepare preliminary traffic designs for both build alternatives, including, proposed lane configurations at ramp intersections, exit and entrance ramp designs, and truck turning templates at intersections.

Deliverables

Preliminary Traffic Design for the two build alternatives.

3.0 Environmental Services

Understanding and Assumptions

Under this task PTG shall, at the direction of SANBAG, coordinate its efforts with the cities along the project alignment, public and private utilities, Caltrans, the FHWA, and other agencies to obtain the necessary technical information for the preparation of the joint IS/EA, with the expectation that the IS/EA will lead to attainment of a MND/FONSI. If it is ultimately determined that a higher-level environmental document (ED) will be required for the project, PTG will prepare an updated scope of work and cost estimate, which will be submitted to SANBAG for review and approval.

It is anticipated that two build alternatives, a reduced-standard and a full-standard alternative, will be studied in the ED along with the no-build alternatives. These alternatives will be carried through the scoping process. One of these build alternatives may be identified as the preferred alternative in the Draft ED based on criteria developed in coordination with the PDT.

Furthermore, various environmental permits (Section 404, 1600 Agreement, Section 401) will need to be obtained prior to commencement of project construction activities. Within the ED and associated technical studies, PTG will describe the anticipated necessary environmental permits, as well as the existing and future with project environmental conditions which are relevant to the required environmental permits. This scope of services and associated cost estimate does not include the actual preparation and submittal of environmental permit applications. If desired by SANBAG, we can provide these permitting services as an addition to our scope and cost estimate, at a later stage in the project development process.

The scope of work for the environmental documentation and approval task consists of the following primary activities, and related subtasks:

Task 3.1 Outreach, Environmental Scoping, Notices

Task 3.1.1 – Community/Agency Involvement Plan; Public Scoping Meeting; Agency Roundtable Meetings: Arellano Associates shall develop a Community and Agency Involvement Plan with input from SANBAG staff. The Plan shall be prepared in accordance with Caltrans' Project Development Procedures Manual. The Plan shall include one or more initial public information/project scoping meeting(s) held at the beginning of the environmental study process to receive public input on the project purpose and need, alternatives, and potential impacts and mitigation measures. In addition, several focus group or "roundtable" meetings will be conducted with groups of agency and project stakeholder staff in order to inform them about the project and gain their input regarding project plans and environmental issues. Specific agency and project stakeholder staff to be invited to the roundtable meetings will include staff

from city councils, city public works departments, school districts, and other municipal/public service entities. Arellano Associates will maintain a database of contact information for project stakeholders, affected property owners along the corridor and agency staff. The specific format, invitees, and agendas for each meeting will be coordinated with SANBAG staff.

A total of seven (7) public and/or agency roundtable meetings are included under this task. Arellano Associates shall coordinate and facilitate the meetings and staff from PTG will attend the meetings to provide technical and project information. Arellano Associates will be responsible for securing meeting locations, coordinating logistical arrangements in support of the meetings, preparing meeting agendas and support materials (e.g., attendance sign-in sheets), and taking notes at the meetings. Summary notes from each meeting will be provided to SANBAG.

If SANBAG desires additional public outreach meetings during the life of the project to maintain public support, we can provide these services as an addition to our scope and cost estimate.

Task 3.1.2 – Issuance of Environmental Notices: PTG shall prepare and circulate a Notice of Initiation of Studies (NOIS) indicating that SANBAG has initiated environmental analysis and preliminary engineering for the Project, and is requesting comments defining environmental and other concerns. The NOIS shall be sent to local residents, elected officials, responsible agencies, and other special interest groups on the Project mailing list. Comments received shall be used to identify particular agency and public concerns and to initiate early agency consultation. The NOIS will include the date and time of the scoping meeting. A public notice of the Project and Scoping Meeting will also be prepared for publication in appropriate daily and weekly newspapers, including a Spanish-language newspaper as appropriate. PTG shall submit ten (10) copies each of the NOIS or as required by Caltrans.

Deliverables:

- Minimum of Four (4) copies of a Community Involvement Plan
- Facilitation of Seven (7) public and/or agency roundtable meetings to share project information and conduct environmental scoping
- Draft and Final copies of meeting summary notes
- Minimum of Ten (10) copies each of the Draft and Final NOIS

Task 3.2 Draft Environmental Document

PTG shall, under this Task, complete required technical studies in support of the ED and prepare the Draft ED. This task will include coordination with SANBAG, Caltrans, and regulatory/approving agencies, and public outreach to collect and

analyze information. PTG shall also attend meetings, and provide additional documentation, when necessary, to respond to requests by the regulatory/approving agencies. PTG may need to collaborate as directed on studies associated with other SANBAG or Caltrans projects.

The Preliminary Environmental Assessment Report (PEAR) prepared for the project as part of the PSR identifies the need for the following environmental technical reports to be prepared in support of the ED:

- Air Quality Study
- Biological Resources Report
- Community Impact Study
- Cultural Resources Report
- Hazardous Waste Study (Initial Site Assessment)
- Noise Study
- Storm Water Data Report (this report preparation is included under Task 2.13 of this scope of work)
- Visual Resources Study
- Water Quality Study

All of the above-noted studies will be prepared as stand-alone technical reports for this project. In addition, this scope of work also provides for a stand-alone Floodplain Evaluation Report. Each technical report shall include a draft and final report of findings, site descriptions, photographs of survey sites, and other relevant information, including the following report sections: introduction, purpose, methods (protocols followed), study results, and mitigation recommendation. The key findings of each technical report will be summarized in an appropriate section of the ED.

Environmental analysis shall meet CEQA and NEPA requirements and shall be in accordance with Caltrans and FHWA guidelines. Specific work shall be performed in accordance with appropriate applicable established regulatory agency survey protocols or guidance. PTG shall coordinate with Caltrans in determining the specific content and format requirements for the environmental studies.

Task 3.2.1 – Air Quality Report

An air quality technical report will be prepared in accordance with provisions outlined in the California Environmental Quality Act (CEQA), National Environmental Policy Act (NEPA) and consistent with the technical requirements and methodologies of SCAQMD and Caltrans. Findings and conclusions from the technical report will be summarized in the ED. The air quality assessment for the proposed project will consist of the following:

Environmental Setting: To include a discussion of pertinent air quality statutes and regulations; description of the existing air quality in the region

and project area (i.e., regional meteorology and local conditions as measured at the local ambient air monitoring stations); and identification of the air quality sensitive receptor locations along the project corridor.

Construction-Period Regional Impact Analysis: Construction-related emissions will be projected including estimates of combustion emissions related to construction equipment operation; fugitive emissions related to site preparation and earthmoving activities; and mobile source emissions related to construction worker and haul truck trips. The emission analysis will be provided for a worst-case day construction with most intense construction activities, and compared to applicable SCAQMD emissions thresholds to determine significance.

Construction-Period Local CO, NO₂, PM_{2.5}, and PM₁₀ Concentration Analysis: Local emission impacts will be analyzed by estimating the degree to which CO, NO_x, PM_{2.5}, and PM₁₀ emissions during construction have potential to create localized "hot spots." The SCAQMD Localized Significance Thresholds Guide analysis methodology will be used for the analysis.

Operational Impacts: Analysis of the operational-related air pollutants emissions will include analysis of changes in regional pollutant emissions, changes in localized emissions, and the implications of these changes with regard to conformity requirements. Changes in regional emissions under the Preferred Alternative will be estimated from changes in the regional travel activity (vehicle miles traveled, average daily trips, and vehicle mix). At the local level, the analysis will include: assessment of the degree to which Project-related traffic volumes have a potential to effect local CO concentrations using screening criteria developed by Caltrans. If detailed analysis is required, potential impacts at up to six intersections will be evaluated utilizing the CALINE4 dispersion model at the impacted intersection locations for up to three scenarios (e.g., existing, future no-project and future with project). The intersections selected for the CALINE4 model evaluation would consist of up to the three highest volume intersections and up to the three worst LOS intersections within the project limits along I-10.

Consistency with the Transportation Conformity Plan: Consistency analysis of regional and project level impacts in accordance with the procedures set forth by the EPA, FHWA and Caltrans will be conducted. Project level conformity analysis will be provided for particulate matter (PM₁₀ and PM_{2.5}) and for mobile source air toxics (MSAT), following the guidelines of EPA, FHWA, SCAQMD and Caltrans.

Mitigation Measures: Mitigation measures will be developed, where applicable, to address air quality impacts.

PTG shall submit ten (10) copies each of the Draft and Final Air Quality Report for the project.

Task 3.2.2 - Hazardous Materials Study (ISA)

A hazardous materials and waste technical study will be prepared for the project and will follow the Caltrans guidelines for Initial Site Assessments (ISA) and Preliminary Site Investigations (PSI). The purpose of the study is to verify the presence of contamination at sites suspected of containing hazardous materials or waste. It is recommended that surveys for Aerially Deposited Lead (ADL), Asbestos-Containing Materials (ACM), and Lead-Based Paint (LBP) be conducted during a later phase of the project (i.e., during final design) when more precise plans of the project footprint and required structural modifications are known. Therefore, this scope of work and associated cost estimate does not include surveys for ADL, ACM, and LBP.

The following tasks will be included as part of the ISA:

Records Review: Available current and historical documents pertinent to environmental activities conducted in or near the project site will be reviewed. Topics of interest to be investigated will include: chemical usage or inventories; waste management records; Resource Conservation and Recovery Act (RCRA) activities; Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) activities; and health and safety operations.

Site Reconnaissance: Site reconnaissance of the I-10 corridor will be performed to visually and physically observe and document conditions within and near the project limits. Photograph documentation of potential hazardous materials issues will be completed.

File Search and Records Review: A search of federal, state, and local regulatory agency electronic databases will be performed. This database search identifies locations that are regulated under various environmental laws, notably CERCLA, RCRA, and Toxic Substances Control Act (TSCA). The records search will also identify locations where a release of hazardous substances has occurred or is suspected.

Historical Information Review: A review of historical information sources will be conducted to evaluate whether prior land uses may pose an environmental concern within or near any properties within the project area. These historical information sources will include, as available: historical aerial photographs, fire insurance maps, and historical topographic maps. In addition, environmental lien data will be obtained for up to 25 parcels that may be considered for full or partial acquisition.

Occupant and Owner Interviews: To the extent practical, interviews will be conducted with current property owners or personnel (for up to 25 properties) to determine the historical and current use of subject properties and surrounding areas, as well as any available information concerning the potential presence of hazardous materials. The parcels selected for owner/occupant interviews would be limited to parcels outside of the existing ROW that may be considered for full or partial acquisition, and/or parcels anywhere along the project alignment that are suspected or known to contain hazardous materials. If it is ultimately determined at a later stage in the project development process that owner/personnel interviews would need to be conducted in regard to more than 25 properties, PTG staff can perform the interviews as an addition to our scope and cost estimate.

Evaluate Data and Report Preparation: PTG will evaluate available information collected concerning the project site and its surroundings to identify Recognized Environmental Conditions (RECs). According to the *American Society for Testing and Materials (ASTM) E 1527-05, Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process* (Phase I ESA), RECs are defined as "the presence or likely presence of hazardous substances or petroleum products on a property under conditions that indicate an existing release, a past release, or a material threat of a release of any hazardous substances or petroleum products into structures on the property or into the ground, groundwater, or surface water of the property." Significant findings from the above-stated tasks will be summarized in a stand-alone ISA technical report, and recommendations will be made for additional site assessment activities, if needed. PTG shall submit ten (10) copies each of the Draft and Final ISA report for the project.

Task 3.2.3 – Noise Report

Noise Measurement Site Selection: The primary purposes for conducting the noise measurements are to (1) determine the existing ambient and background noise levels to establish the baseline conditions, (2) calibrate the Traffic Noise Model (TNM), and (3) determine train pass-by noise levels.

The selection of measurement locations is based on the following criteria:

- Sensitive receptor locations expected to receive the highest noise impacts, such as the first row of houses or houses on the hills next to the freeway.
- Sites that are acoustically representative and equivalent of the area of concern.
- Areas of frequent human use where lower noise level would be of benefit.
- Sites clear of major obstruction and contamination.

Parsons will conduct at least 18 short-term and 14 long-term measurements. All short term measurements will be conducted while a long term measurement is in progress. Data from the long term measurements will be used to adjust short term noise measurements to reflect the peak noise hour levels. There will be no noise measurements from the beginning of the project to Cherry Avenue, as this area is comprised of commercial and industrial uses with no noise sensitive use areas. Figures will be provided that display the proposed noise measurement sites.

Noise measurements will also be conducted near the train tracks to determine the train pass-by noise levels of different types of trains. The measured levels will then be used for calculating train noise levels at the noise sensitive areas along the project alignment.

Measurement Instrumentation: The instruments that will be used for the noise measurements include the following:

1. Integrating Sound Level Meters – Larson Davis models 820, 812, and 870 (ANSI Type 1) Sound Level Meters.
2. Microphone System – LD 820 System – Larson Davis model PRM 828 microphone preamps; Larson Davis model 2560, ½-inch pressure microphone. LD 870 System - Larson Davis model 900B microphone preamps; Larson Davis model 2559, ½-inch pressure microphone.
3. Acoustic Field Calibrator – Larson Davis model CA250 constant pressure microphone calibrator.
4. Microphone cables; 4-inch diameter windscreens; and microphone tripods.
5. Wind Monitor/Temperature and Humidity Gauge – Kestrel 3000 Pocket Weather Meter.

Measurement Procedures: Noise measurements will be conducted in conformance with Caltrans Technical Noise Supplement (TeNS). The measurement systems will be field calibrated before and after each use. A calibration check will be conducted after the completion of the measurements to verify that the instruments are operating within the normal operating parameters. A-weighted and slow detector response will be used for each measurement. The systems will be configured to store noise level data on an interval basis (hourly intervals for long-term sites, and 20-minute intervals for short-term sites). The data will include the average, minimum, maximum, and selected exceedence levels for each interval period (Leq, LMIN, LMAX, L10, L50, and L90).

Train pass-by noise levels will be recorded as LMAX and Sound Exposure Levels (SEL). Sound level meters will be setup to develop the histogram of the train pass-by noise which will allow distinguishing noise from cars and locomotives.

Each microphone shall be positioned at least 3 meters (10 feet) from any wall or building to prevent reflections or unrepresentative shielding of the traffic noise. A measurement site will not be used if there is a possibility of any unusual noise such as dogs, pool pumps, or children that would affect the measurement. The microphone will be installed 1.5 meters (5 feet) above ground with the manufacturer's recommended windscreen. Some measurement sites might require that the microphones be placed on top of property walls. Site geometries, such as distances, elevations, and the locations of walls and buildings will be noted. Photographs will be taken at each of the monitoring sites.

Highway Traffic and Train Noise Prediction Models: The Traffic Noise Model (TNM) will be used to analyze noise impacts at the adjacent areas of the no-build and build alternatives of I-10 and noise abatement measures will be recommended for the noise sensitive outdoor frequent use areas. Predicted noise impacts for the future build alternative will evaluate whether 1) there is a substantial noise increase (when the predicted noise levels with the project exceed existing noise levels by 12 dB) and/or; 2) the future traffic noise levels with the project approach or exceed the noise abatement criteria (NAC). Noise Barrier heights ranging from 2.4 to 4.9 meters (8 to 16 feet) will be used to determine the height that meets the NAC. Reasonableness analysis will also be conducted for all the feasible noise barriers.

Train noise will also be calculated and added to the future I-10 traffic noise levels for the receptors located south of I-10. Train noise levels will be calculated using Federal Transit Administration (FTA) procedures.

Model Calibration: Since there will only be lane additions to the I-10 without any major changes to the existing alignment, it is appropriate to calibrate the traffic noise computer model using the measured field data. Noise measurements for the calibration will be conducted at 15 of the measurement sites with simultaneous traffic counts using a video camera recorder and a radar gun for traffic speed measurements. If it is not practical to use the radar gun, speed will be determined by driving on the freeway. The video recordings of freeway traffic will be reviewed and tabulated according to three vehicle types, including automobiles, medium trucks (2-axle with 6-wheels but not including dually pick-up trucks), and heavy trucks (3 or more axle vehicles). The field observations and measured data will be used to calibrate the accuracy of the future traffic noise model. Differences of +2 dB or more will be added to the future model.

Anticipated Noise Abatement Measures: A noise barrier analysis will be conducted using TNM, with the goal of achievement of the 5 dB minimum noise reduction in mind. Possible barriers may be located at the freeway shoulder, right of way line, or on private property depending on the achievable noise reduction performance at each location, topography of the area, and the desirability for other considerations, such as future freeway expansion and maintenance. The reasonable cost allowance of the noise barriers that are feasible will be

determined. Construction dates of houses will also be considered in determining the reasonableness of the noise barriers.

If proposed noise barriers are located within the State Right-of-Way, they will not provide noise abatement for the train noise for the residences located south of I-10. If an agreement can be reached by the train operators, noise barriers could be located south of the track to provide noise abatement to both traffic and train noise. Feasibility of noise abatement measures will be determined based on the combined noise levels of I-10 traffic and train traffic.

Noise Study Report: Draft and Final Noise Study Reports will be prepared to discuss the findings of the field investigations, noise modeling, and barrier analysis as per the format outlined in Section N-7100 of the TeNS manual. The report will provide tables, figures, and graphs showing the results of the study. All measured and modeled receivers will be clearly shown and identified in the survey topographic maps on design plan sheets and aerial photographic maps.

Recommended barrier locations will be shown on a topographical map. Top-of-wall elevations at different locations, as well as the beginning and end station numbers, will be provided for each barrier. The corresponding number of residential units that would achieve a 5 dB or greater noise reduction will be determined, calculated, and shown for each increment in wall height. The survey topographic maps and aerial photographs that present the location of the noise barriers will be clear, concise, and of professional quality. Topographic survey maps and aerial photographs that represent the neighborhoods and location of the proposed noise barriers will be at the scale of 1:2000. PTG shall submit ten (10) copies each of the Draft and Final Noise Study Report for the project.

Task 3.2.4 – Biological Resources and Wetlands

A biologist from Michael Brandman Associates (MBA) will conduct a habitat assessment of the entire project site to characterize the habitats, to determine the quality of sensitive habitats occurring throughout the site and/or to confirm the existing conditions following a literature review of all applicable reports/studies conducted for this project and/or general vicinity. Information gathered during this assessment will be used for preparing the Natural Environmental Study (NES), for determining if additional surveys are needed, and for preparation of a Biological Assessment (BA) under Section 7 of the federal Endangered Species Act (ESA) as an optional task, if required.

Habitat Assessment for Delhi Sands Flower Loving Fly (DSF): Portions of the project site will also be walked by an MBA biologist and rated for its potential to support DSF. These areas will be rated based on a scale of 1 to 5, with 5 being the best quality and most suitable habitat in the biologist's judgment, as follows:

1. Soils dominated by heavy deposits of alluvial material including coarse sands and gravels with little or no Delhi Sands and evidence of soil compaction. *Unsuitable;*

2. Delhi Sands are present but the soil characteristics include a predominance of alluvial materials (Tujunga Soils). *Very Low Quality*;
3. Although not clean, sufficient Delhi Sands are present to prevent soil compaction. Some sandy soils exposed on the surface due to fossorial animal activity. *Low Quality*;
4. Abundant clean Delhi Sands with little or no alluvial material or Tujunga soils present. Moderate abundance of exposed sands on the soil surface. Low vegetative cover. Evidence of moderate degree of fossorial animal activity by vertebrates and invertebrates. *Moderate Quality*; and
5. Sand dune habitat with clean Delhi Sands. High abundance of exposed sands on the soil surface. Low vegetative cover. Evidence (soil surface often gives under foot) of high degree of fossorial animal activity by vertebrates and invertebrates. *High Quality*.

MBA will include this information in the NES report, including the potential for the site to support DSF and a recommended strategy for gaining regulatory clearance under the ESA for developing the site. MBA will coordinate a site visit/field meeting with the USFWS to get tentative review approval of the proposed regulatory strategy.

Jurisdictional Wetlands Delineation and Report: A jurisdictional delineation will be performed to quantify the existing wetlands and riparian areas present within the drainage systems crossing the I-10 Freeway. The jurisdiction of the U.S. Army Corps of Engineers (USACE) and the CDFG will be identified and delineated based on a two-phased approach. Phase 1 will identify potential jurisdictional areas within the project's stream system utilizing a recent aerial photograph and results from the habitat assessment conducted in Task 1. Phase 2 consists of a formal jurisdictional delineation of target crossings as identified in Phase 1. The USACE jurisdiction will be determined in the field using the presence of an ordinary high-water mark and the methodology in the USACE 1987 wetland delineation manual. This methodology requires that a jurisdictional wetland must contain hydrophytic vegetation, hydric soils, and appropriate hydrology. CDFG jurisdiction will be determined by the presence of hydrophytic vegetation, the location of a definable bed and bank, and the presence of associated wildlife or fish resources. The boundaries of these jurisdictions will be mapped on maps of an appropriate scale. Civil surveys of any delineated areas are not covered in this scope of work.

A stand-alone jurisdictional delineation report will be prepared describing baseline conditions and analysis of potential project impacts on each jurisdictional feature. The report will include methods, results, and a graphic depicting the approximate size and location of any jurisdictional areas. The report will be consistent with the requirements of USACE and CDFG. Copies of field data sheets will be included. The report will describe delineation methodology, jurisdictional areas of the site, and impacts from site development. The report will

provide the necessary documentation for developing and processing subsequent Section 401 and 404 permits, and a Section 1600 Streambed Alteration Agreement. The report will provide information on probable 404-permit type (Nationwide vs. Individual Permit) and timeframes for acquiring permits. A draft jurisdictional delineation report will be submitted to SANBAG. Based on one set of review comments, a final report will be prepared.

NES Report: The NES report will be prepared as acceptable by Caltrans and the Federal Highway Administration (FHWA) and as outlined in a current "Guidance for Consultants" in *Procedures for Completing the Natural Environmental Study and Related Biological Reports*. All studies and reports will be in accordance with the requirements shown at the Caltrans web site. Additionally, the NES, wetland delineation, and habitat assessment will contain the study and evaluation elements shown in SANBAG's Request for Proposal (RFP) insofar as they may exceed requirements listed at the Caltrans web site.

The reports will be considered complete after approval from Caltrans and FHWA.

Task 3.2.4(a) – Optional/Out of Scope Tasks: Biological Resources

The following services under Task 3.2.4 (a) are optional tasks that are anticipated to be required during future project phases in support of the biological resources evaluation and regulatory permitting. These services will be performed by MBA for an additional (out of scope) fee which will be provided to SANBAG for approval, if requested.

(Optional Task) Presence/Absence Surveys and Documentation of Results for the Federally Endangered San Bernardino Merriam's Kangaroo Rat (*Dipodomys merriami parvus*)

Permitted MBA biologists will perform U.S. Fish and Wildlife Service (USFWS) protocol surveys, if required, to determine presence/absence of the federally endangered San Bernardino kangaroo rat (SBKR) along any portion of the route with suitable SBKR habitat. MBA will survey the entire area and map suitable SBKR habitat. Those locations that could support SBKR will be trapped. All trapping efforts will follow USFWS protocol and will be conducted by USFWS certified SBKR biologists. In accordance with USFWS survey protocol, each trapping effort will be conducted for 5 consecutive evenings. Traps will be checked and animals released at 12:00 midnight and dawn to reduce impacts.

As a requirement of the permit to trap for the SBKR, permitted biologists must notify the USFWS within 10 working days prior to the anticipated start date of survey work. The survey should not be undertaken until written approval from USFWS has been obtained. This notification should include precise mapping of the subject property clearly delineated on a 7.5-minute U.S. Geological Survey (USGS) topographic map marked with the project name, type of project by category (urban development, mitigation bank, or specify any other descriptive category), and the estimated area acreage.

As a requirement of the USFWS permit to survey for the SBKR, a report of findings must be submitted to the USFWS within 30 days of completion of protocol surveys. As required, the report will include:

- Site location plotted on USGS 7.5-minute topographic quadrangle map;
- Qualitative description of site habitat, including plant composition;
- List of invertebrates;
- Observation and notation of reptiles, birds, and mammals detected, as well as any signs of disturbance;
- Site plant community map;
- Characterization of land uses surrounding the site;
- Mapping of precise locations where any SBKR are detected;
- Full account of numbers and behavior of any SBKR detected; and
- Completed field forms utilized by the Natural Diversity Data Base of the California Department of Fish and Game (CDFG).

(Optional Task) Prepare a BA under Section 7 of the Endangered Species Act

Since endangered species (SBKR and DSF) are in the vicinity of I-10 and federal dollars are involved, a Section 7 Consultation in compliance with the Endangered Species Act could be conducted, if necessary. All attempts will be made to keep discussions (and decisions), if required, with the Service at the informal level. This optional task covers a full formal Section 7 Consultation with USFWS if it is ultimately required. MBA biologists recommend meeting with USFWS on the project site to discuss the project impacts and proposed mitigation measures. This meeting will also provide a forum for informal discussions with USFWS and will set the foundation for the final mitigation strategy to be developed in the BA.

MBA will produce a BA according to the USFWS handbook for preparing Section 7 Consultations under the federal ESA. The BA will use the data from the biological surveys conducted for this project as well as the information gathered as part of the jurisdictional wetland delineation report. The report will focus on the known presence of SBKR, predictable impacts from the project, and mitigation measures to mitigate for the project's possible impact on SBKR, DSF and/or their habitats. An internal review draft BA will be submitted to SANBAG, Caltrans, and FHWA. Based on one set of comments, a final draft will be prepared for forwarding to USFWS through the FHWA.

The Project Manager will provide technical and processing support and attend meeting(s) with SANBAG, Caltrans, and/or FHWA, and USFWS for processing the Section 7 Consultation. MBA assumes that this optional task would provide for up to 6 (six) meetings at 4 hours per meeting for preparation and attendance plus up to 40 additional hours for technical support and processing time.

Task 3.2.5 – Cultural and Paleontological Resources

Archaeological and historic property surveys of the project's direct and indirect Area of Potential Effects (APE) shall be completed. In compliance with Caltrans, FHWA, and State Historic Preservation Officer (SHPO) requirements, a Historic Resources Evaluation Report (HRER) and Archaeological Survey Report (ASR) shall be prepared along with the umbrella document, the Historic Property Survey Report (HPSR). All documents shall be prepared in conformance with Section 106 of the National Historic Preservation Act (as amended), Appendix K of CEQA Guidelines, and Volume 2 of the Caltrans Standard Environmental Reference (SER). This task also includes identification of documented paleontological resources in the project area.

Records and Literature Search: Applied Earthworks (Æ) will complete a cultural resources literature and records search at the San Bernardino Archaeological Information Center, housed at the San Bernardino County Museum. Other archival sources consulted will include pertinent historical USGS topographic maps.

Area of Potential Effects (APE) Map: Once preliminary project plans and/or specific alternatives have been identified, an Area of Potential Effects (APE) map will be prepared for review and approval by Caltrans District 8 staff. The APE Map shall be prepared in accordance with the latest edition of Caltrans SER and approval will be obtained from the Caltrans District Heritage Preservation Coordinator and the FHWA area engineer. The resulting project APE will include all right-of-way acquisitions, proposed access roads and routes, detour areas, temporary work areas, staging and stocking areas beyond the existing paved highway. It will include both direct (areas of project-related ground disturbance subject to walk-over by project archaeologist) and indirect effects (e.g. noise and visual impacts, also called architectural APE) as directed in the latest edition of the SER. The APE will be defined and depicted on graphic, black and white plans, likely on the latest engineering plans available at the time on suitably scaled engineering base plans showing parcel boundaries.

PTG performed a preliminary search to approximate the number of parcels within 500 feet of the I-10 project area. More than 2,500 parcels were identified along the project alignment, consisting of the following: 35 parcels in Ontario, 452 parcels in Fontana, 197 parcels in Bloomington, 36 parcels in Rialto, 329 parcels in Colton, 260 parcels in San Bernardino, 138 parcels in Loma Linda, and 714 parcels in Redlands. The remainder of the parcels are located either in unincorporated San Bernardino County and/or are vacant, according to the latest County Tax Assessor information available. The project APE is expected to contain fewer than 2,500 parcels, but may include as many as an estimated 1,500 parcels; in part because of the likelihood for introduction of indirect effects. Much of the study area contains industrial uses and tract homes, many of which may meet the criteria for Section 106 Programmatic Agreement, Attachment 4.

Unless direct or indirect effects are expected to result from the project, such parcels that fall under this category will not be contained in the APE boundaries.

PTG shall submit ten (10) copies each of the Draft and Final APE Map for up to two (2) rounds or iterations of internal review/revisions. This workplan and cost estimate assumes that up to 25 sheets (excluding title and section sheets) would be required to document the APE, and up to two (2) complete iterations of comments and re-submittals to Caltrans. An iteration is defined as: submit draft product; discuss and or receive comments (if any) from Caltrans; revise and resubmit.

Historic Properties Evaluation: In light of the large study area for the built environment, this scope of work is limited to evaluation of up to 150 parcels which contain buildings, structures or objects constructed before 1962 (45 years of age in 2007). The cut-off date for California Register of Historical Resources potential eligibility will be set at 45 years of age. The 150 parcel count includes contributors to previously unidentified historic districts. In the event that a large (more than 150-parcel), previously unidentified historic district is identified, a contract amendment may be necessary. This scope of work includes identification of no more than one (1) previously identified historic district. The number of parcels containing built structures constructed after 1961 (subject to Section 106 Programmatic Agreement, Attachment 4) is assumed to be no more than 1,500 parcels, and preparation of no more than 150 California Department of Parks and Recreation series 523 forms (DPR forms) for properties constructed before 1961 is assumed. Linear structures, including irrigation canals, may be within the project APE boundaries. Because of the complexity of evaluating such resources, no more than four (4) such linear resources are included in this scope of work, and are assumed to be included in the estimated total of 150 total DPR forms.

Preparation of a Bridge Report should be necessary only if there is reason to believe that a non-standard bridge in the identified APE has acquired historic significance since it was last evaluated for historic significance (generally 1986). Standard highway-bridge types that have achieved the 45-year age criterion are not generally required to be re-evaluated and are not included in this scope (see also reference to Section 106 exemption for interstate facilities). No more than five (5) bridges shall be evaluated for historic significance, if necessary, in this scope of work. The evaluation of additional bridges may be included as a separate task, if necessary. The Interstate facility and its components, such as bridges, are expected to be excluded from review under the Section 106 exemption under the NHPA (2005).

If historically significant structures are identified within the APE, the Preparation of Findings of Effect, development of an Agreement Document identifying alternatives to avoid or minimize harm, and mitigation measures, if necessary, would be additional tasks not included in this scope of work.

Pedestrian Survey – Archaeological Resources: A pedestrian survey to identify potential archaeological resources of the APE will be completed by a three-person crew and survey-transect spacing will range from 5 to 10 m (17 to 30 ft). Up to twelve potential temporary Construction Staging Areas (CSA's) will be subjected to a pedestrian survey. It is also assumed that in the areas where additional Right-of-Way (ROW) is needed, this ROW would generally extend no more than 10 feet beyond the existing ROW; these areas would only be spot-checked for archaeological resources.

It is assumed that no more than two historical and two prehistoric archaeological sites (for a total of four sites) will be encountered during the pedestrian survey. The historical sites would likely be historical refuse dumping points, while the prehistoric sites may include sparse lithic scatters. It should be noted that if the pedestrian survey of the Project APE results in the identification of more than four archaeological resources, project costs would be increased accordingly based on the number and complexity of these resources. Accordingly, if fewer than four archaeological resources are identified and documented, project costs would be reduced.

On the basis of surface inspection, cultural resources identified will be assessed using "significance" criteria as set forth in the 36 CFR 800. The objective of this task is to provide sufficient data to characterize the current status of the identified resources, to formally document known site boundaries in relation to the Project's APE, to provide a preliminary evaluation of the site's significance and research data potential, and to offer further archaeological management recommendations.

Native American Consultation: In accordance with Section 106 of the National Historic Preservation Act and in coordination with Caltrans District Native American Coordinator, AEC will initiate Native American consultation with the Native American Heritage Commission (NAHC) and request a review of their sacred land files for identification of any traditional cultural properties within the project area and to identify any tribal representative(s) and/or individual(s) that may have knowledge of sacred sites or concerns over the project. AEC will also consult with Native American individuals and organizations listed by the NAHC that may have an interest in the Project. Consultation will be initiated by letter, and followed by telephone contact.

HPSR/ASR/HRER Report and Section 4(f) Investigation: At the conclusion of the literature and records search, archival research, archaeological and historic property surveys, and Native American consultations, the PTG Team will prepare a Historic Properties Survey Report, an Historic Resources Evaluation Report and Archaeological Survey Report (HPSR/ASR/HRER) in accordance with Section 106 of the National historic Preservation Act, CEQA Guidelines, as well as the standards outlined in the SER, Volume 2, Cultural Resources. As part of

these investigations, the PTG Team will also identify any potential National Register eligible Section 4(f) properties. These documents will be submitted to Caltrans District 8 and SANBAG for review/comment, and subsequent approval by SANBAG, Caltrans, and FHWA, as well as the State Historic Preservation Officer (SHPO). The HPSR/ASR/HRER report shall be prepared and submitted for up to two iterations of internal review/revisions by agency staff.

Paleontological Records Search: AE will request a paleontological literature search at the San Bernardino County Museum Division of Geological Science to address the presence or absence of known paleontological resources within or immediately adjacent to the Project APE. Based on recent conversations with Kurt Heidleberg (10/16/06), Caltrans District 8 Associate Environmental Planner, a formal Paleontological Identification Report (PIR) *will not* be required for this Project. A letter report prepared by the San Bernardino County Museum Division of Geological Science will be sufficient for this Project.

PTG shall submit ten (10) copies each of the draft and final APE map, ASR, HRER, HPSR and Paleontological Report for the project.

Task 3.2.6 – Floodplain Evaluation Report

PTG shall prepare a Floodplain Evaluation Report in accordance with Executive Order 11988, FHWA's Federal Aid Guide Part 650 Subpart A, and Caltrans' Floodplain Encroachment Evaluation Guidelines, by reviewing the most recent Federal Insurance Rate Maps of the Project area and identifying the limits of the base (100-year) floodplain and regulatory floodway. A Flood Risk Assessment shall be conducted and included in the Floodplain Evaluation. PTG shall submit ten (10) copies each of the Draft and Final Floodplain Evaluation Report.

Task 3.2.7 - Hydrology, Water Quality, Storm water Runoff

PTG shall prepare a water quality, hydrology, and storm water runoff analysis by reviewing and documenting existing available records to describe ambient conditions in nearby water channels, natural or manmade. Water quality data for both surface and groundwater shall be used from published reports. Rough hydrologic calculations (suitable for determination of estimated storm water runoff volumes) will be performed based upon topography and preliminary engineering plans. The impacts of the project shall be evaluated and potential mitigation measures to alleviate both short-term (during construction) and long-term impacts shall be identified. Information shall be included in a stand-alone technical report and the ED.

PTG's work will begin with an assessment of the project description relative to project features that may be required by various water quality programs by San Bernardino County, or by Caltrans policy or standards. Urban runoff quality Best Management Practices (BMPs) that must be incorporated into the project design as a matter of compliance with existing regulatory programs will be verified as

being included in the project description or will be identified as features that must be included prior to assessing potential impacts.

Concurrent with our assessment of the project, PTG will begin with preparation of a general description of the affected watersheds. Topics that will be addressed in the general description of the watershed will include local climate, topography, land use and hydrology/drainage characteristics. PTG will collect and summarize existing publicly available water quality data from the County of San Bernardino and San Bernardino Regional Water Quality Control Board (RWQCB). PTG will summarize the applicable water quality standards, which are a combination of the designated beneficial uses and the water quality objectives, the existing and pending Total Maximum Daily Loads (TMDLs) for the Santa Ana River as set forth by the RWQCB, and other pertinent water quality regulations such as the California Toxics Rule. PTG will also describe the local, statewide and Caltrans storm water regulatory programs in place to manage the quality of storm water and urban runoff discharges to the affected rivers and channels. PTG will identify the potential sources of urban runoff pollutants from the existing roadway.

PTG will then assess potential short-term impacts to receiving water quality that could occur during construction. The assessment of potential short-term impacts will be qualitative and will include a discussion of the potential for sediment and other substances associated with building materials and construction activities to enter the waterways during the construction phase, if uncontrolled by Best Management Practices (BMPs). PTG will identify the potential for the project to impact water quality standards, TMDLs, and criteria associated with other water quality regulations.

PTG will also assess potential long-term impacts to the waterways from operation of the highway once it has been widened. The expanded highway will accommodate increased vehicle traffic. Therefore, the potential for an increased pollutant load to the waterways will be assessed in light of the BMPs that are part of the project design. Using projected traffic data and existing publicly available estimates of vehicle pollutants in storm water runoff from similar projects, PTG will qualitatively identify the potential long-term project impacts to water quality.

The technical report and section in the ED will describe the regulatory compliance requirements that must be met including compliance with:

- California General Construction Activities Storm Water Permit;
- Section 404 of the Clean Water Act under U.S. Army Corps of Engineers (Corps) jurisdiction;
- Section 401 of the Clean Water Act (Water Quality Certification) through the San Bernardino RWQCB;
- TMDLs (existing and under development); and
- San Bernardino County area wide municipal separate storm sewer system (MS4) National Pollutant Discharge Elimination System (NPDES) permit.

As necessary, mitigation measures will be identified to help reduce any potential significant impacts to a level of insignificance. The alternative mitigation measures will be identified, but detailed design or specifications for mitigation measures are not part of this scope of work. Similarly, this scope of work does not include preparation of various environmental permits that may be required for the project. If desired by SANBAG, we can provide these services as an addition to our scope and cost estimate, at a later phase in the project development process.

Task 3.2.8 - Geology/Soils/Seismicity

Investigation and recommendations regarding geologic and seismic conditions, including fault rupture investigation and other geologic hazards, will be performed by PTG under Task 2.6 of this scope of services. The findings and recommendations from these studies will be summarized in a section of the ED.

Task 3.2.9 – Visual Impact Assessment Report

In accordance with FHWA and the U.S. Department of the Interior guidelines, this analysis shall be prepared by a licensed Landscape Architect. Various key viewpoints (visual quality "sensitive receptors") shall be identified for the Project. Visual quality of proposed conditions shall be evaluated of and from the key viewpoints. Mitigation measures, such as finish treatment of structures and plantings, shall be recommended. Computer-generated visual simulations at the key viewpoints of both proposed and mitigated visual conditions shall be prepared as required. Up to five (5) visual simulations are included in this scope of work and associated cost estimate. PTG shall submit ten (10) copies each of the Draft and Final Visual Impact Assessment Report for the project.

Task 3.2.10 – Traffic/Circulation Analysis

PTG shall summarize the findings of the traffic modeling and operational analysis report (performed under Task 2 of this scope of work) into the ED. The section will identify all CEQA and NEPA impact evaluation categories for traffic and circulation and summarize related potential project impacts/effects and mitigation measures. Traffic demand and operational information will also be applied into the purpose and need and logical terminus evaluation sections.

Task 3.2.11 – Land Use Analysis

Existing planning documents for the Cities of Ontario, Fontana, Rialto, Colton, San Bernardino, Loma Linda, Redlands, and the County of San Bernardino, including general plans, land use elements, circulation elements, and zoning maps, will be reviewed as they pertain to the study area. A land use inventory will be compiled and mapped. Beneficial and adverse impacts of the project and mitigation measures shall be identified. Information shall be included in the ED.

Task 3.2.12 – Energy Analysis

Direct and indirect energy consumption shall be estimated for each alternative using factors provided in Caltrans Translab's Energy and Transportation Systems. Baseline and future year (with project) traffic shall be used in the estimation of direct energy consumption. Information shall be included in the ED.

Task 3.2.13 – Housing and Businesses/Community Impacts/Public Services
Documentation and surveys of residential housing and other buildings/businesses along the project alignment, including ownership information, will be collected as part of the Right-of-Way Delineation and Data Sheets work performed under Task 2 of this scope of services.

An analysis of potential impacts to residential housing and businesses will be conducted. The potential impacts associated with relocation of housing or businesses, if any, will be evaluated. Potential effects upon businesses, residences, and any neighborhoods within the project area will be described. PTG will identify potential impacts from construction easements, utility relocations, and anticipated partial or full takes of right-of-way.

A community impact analysis will be prepared, based upon U.S. Census data and/or other available demographic data. The residential characteristics to be addressed include: overcrowded units, vacancy rates, condition of the housing stock, housing costs, housing stock projections, and housing policies and programs. The business characteristics include the type of urban development in the vicinity of the proposed alignment. The existing social environment (i.e., U.S. Census demographic and community/neighborhood characteristics) will be described. An environmental justice analysis will also be conducted. A discussion of the existing economic environment (i.e., 2000 U.S. Census local and regional employment characteristics) will be included. City staff will be interviewed to obtain current City revenues, if available.

PTG's analysis will describe the housing, commercial, and demographic characteristics of the project area, emphasizing community facilities and public services that could be impacted by the project. PTG will review maps in order to determine the location of public services (police, stations, fire stations, etc.) and other public facilities (i.e., libraries, schools, etc.) that might be affected by right-of-way requirements, noise, construction activities, traffic circulation, and roadway closures. Surveys of public services will be conducted to determine potential temporary impacts during project construction.

Task 3.2.14 – Utilities

PTG will review maps and preliminary design plans in order to determine the location of public utilities that might be affected by right-of-way requirements and construction activities. The results of our review will be summarized in the ED.

Task 3.2.15 - Section 4(f) Resources

Section 4(f) resources in the project vicinity will be identified as part of Task 3.2.5 (Cultural and Paleontological Resources) and Land Use (Task 3.2.11). A Section 4(f) Study is required when a transportation project with Federal involvement requires the use of publicly owned land of a public park, recreation area, or wildlife and waterfowl refuge of national, State, or local significance, or land of an historic site of national, State, or local significance. At this time, PTG assumes that Section 4(f) resources do not lie within the project impact area and therefore a formal Section 4(f) Study will not be required for the project.

If it is determined that the project may result in effects to any of the above-listed resources, PTG will submit a revised scope of work and cost estimate to SANBAG for this additional work. Early coordination and consultation would occur with all agencies (e.g., city parks departments, Caltrans, FHWA, SHPO) having jurisdiction over the affected property. A Section 4(f) Study report would be circulated in draft form to all agencies involved for review.

Task 3.2.16 – Growth Inducement and Cumulative Impacts

Data collected for other analyses shall be used to identify if the proposed transportation improvements would potentially induce population and development growth beyond that envisioned in local planning and zoning documents, and whether cumulative impacts would occur. Analysis shall investigate whether the level of growth is consistent with local planning documents for the area and regional transportation plans. Construction-related activities such as road closures may need to be coordinated to avoid unexpected traffic congestion or conflicting detour plans (cumulative impacts). Mitigation measures shall be recommended to minimize impacts commensurate with the project's contribution to the impact. Information shall be included in the ED.

Task 3.2.17 – Administrative Draft Environmental Document

An Environmental Document shall be prepared in accordance with the Caltrans SER, FHWA Technical Advisory T6640.8A, and 23 CFR 771. Concurrent with the technical analyses described above in Task 3.2, PTG shall prepare an Administrative Draft Environmental Document incorporating an environmental checklist, technical analyses, a discussion of critical environmental issues identified, an analysis of the cumulative effects of the project, mitigation measures, and a list of potential permits required. PTG shall submit ten (10) copies of the Administrative Draft Environmental Document.

Task 3.2.18 – Draft Environmental Document

Following review by SANBAG and Caltrans, the Administrative Draft Environmental Document shall be revised to incorporate SANBAG and Caltrans review comments. The Revised Draft Environmental Document (IS/EA) shall be submitted to SANBAG, Caltrans, and FHWA for review and approval to circulate. The Draft IS/EA shall contain the unsigned proposed MND/FONSI. PTG shall submit the original and twenty (20) copies of the Draft ED for the project.

After completion of the Draft IS/EA, but prior to proceeding with any further work, PTG shall provide SANBAG with a Technical Memorandum describing which final environmental documents will be required to complete the process. After review of the Technical Memorandum, SANBAG will provide specific direction to PTG for proceeding with the work to completion.

It is anticipated that the final environmental documents will be a MND/FONSI. If however, during the initial environmental document preparation, it is determined that an EIR/EIS is needed, then PTG will revise the original Work Plan and cost estimate to incorporate changes to reflect the appropriate level of NEPA and CEQA review. The revised Work Plan and cost estimate shall be provided to SANBAG for review and approval.

Deliverables:

- Studies necessary to support the preparation of the NEPA/CEQA environmental document
- Minimum of Ten (10) copies each stand-alone technical report
- Minimum of Ten (10) copies of the Administrative Draft Environmental Document
- Minimum of Twenty (20) copies of the Draft Environmental Document
- Technical Memorandum Updating Status of Environmental Work

Task 3.3 Final Environmental Document

The scope of work for this Task includes, but is not limited to, the following:

Task 3.3.1 – Circulation and Public Hearing

When approval to circulate has been obtained from Caltrans and FHWA and confirmed by the signed title sheet, PTG shall circulate the Draft IS/EA with an unsigned MND/FONSI in accordance with the requirements of the Caltrans' SER. Before the Draft IS/EA is circulated, the Draft PR must be approved to ensure that the project concept in the Draft IS/EA is consistent with the Draft PR. The Draft IS/EA shall be circulated to responsible agencies, trustee agencies, state, federal, and local agencies that have jurisdiction by law, bordering cities and counties, and other applicable groups or persons as suggested in Caltrans' SER. The cost of copies and postage shall be borne by PTG.

In addition, a minimum of fifteen (15) copies of the Draft IS/EA shall be submitted to the State Clearinghouse, together with one copy of the Notice of Completion, for review and comments.

Following approval of the Draft IS/EA, a Notice of Availability (NOA), Notice of Intent to Adopt a Mitigated Negative Declaration (NOI), and a Notice of Public

Hearing (NOPH) shall be prepared for publication. The notices shall be placed at least once in newspapers of general circulation (as directed by SANBAG and Caltrans), posted on and off site, and mailed directly to owners and occupants of contiguous properties. PTG and Arellano & Associates shall assist SANBAG/Caltrans in conducting a formal Public Hearing. A Record of Public Hearing shall be prepared and submitted to SANBAG and Caltrans. The public hearing shall conform to the requirements of Caltrans' *Project Development Procedures Manual, Chapter 11, Article 7*. PTG shall provide the original and ten (10) copies of the NOA, NOI, and NOPH and ten (10) copies of the Record of Public Meeting.

Task 3.3.2 – Prepare Responses to Comments

PTG shall address comments received from agencies and the public during the circulation period and the public hearing and develop a log of the comments and responses to them. The responses shall be submitted to SANBAG and Caltrans for review. PTG shall submit ten (10) copies of an Administrative Final IS/EA.

Task 3.3.3 – Final Environmental Document (MND/FONSI)

Following this review, the Final IS/EA shall be prepared and submitted for approval. The proposed MND shall be signed and incorporated into the Final IS/EA. The Final IS/EA shall also become part of the PR. The Final IS/EA shall be submitted to SANBAG, Caltrans, and FHWA for approval and signature along with the FHWA *Checklist for Final Documents*, and a request to issue a FONSI. Following FHWA review, any comments shall be addressed and the Final IS/EA shall be re-submitted to FHWA. After FHWA approval of the document for public circulation, FHWA will prepare and attach the FONSI to the Final IS/EA. The FONSI shall be added to the Final IS/EA and PTG shall coordinate a 30-day public review period for the EA. PTG shall submit the original and fifty (50) copies of the Final IS/EA and MND/FONSI at the conclusion of the public review period.

Task 3.3.4 – Notice of Determination & Notice of Availability

Filing of the Notice of Determination (NOD) completes the CEQA ED. A Draft NOD shall be prepared and submitted to SANBAG and Caltrans for review and comment. Following this review a final NOD shall be prepared and submitted to SANBAG and Caltrans. PTG shall submit ten (10) copies each of the Draft and Final NOD. PTG shall also send a copy of the Notice of Determination and a copy of the Notice of Availability - FONSI (NOAFONSI) to the State Clearinghouse along with proof of payment of an environmental filing fee and/or a De Minimis Impact Finding to the State Department of Fish and Game.

Task 3.3.5 – Mitigation, Monitoring, and Reporting Plan (Environmental Commitment Record [ECR])

PTG shall develop an ECR to be included with the Final IS/EA submittal. The plan will identify mitigation measures necessary to minimize or reduce potential significant environmental impacts to a less-than significant level. The ECR shall identify all design, construction and post-regulatory mitigation requirements, the

responsible party, timing, and verification. Monitoring may include the submittal of monitoring sheets/reports to the SANBAG, Caltrans, and other agencies.

PTG shall coordinate the ECR preparation with SANBAG, Caltrans and regulatory/approving agencies as appropriate. PTG shall provide the original and ten (10) copies of the Draft and Final ECR.

Deliverables:

- Minimum of Ten (10) copies of the Administrative Draft IS/EA
- Minimum of Fifty (50) copies of the Draft IS/EA for circulation
- Original and minimum of Ten (10) copies of the NOA, NOI, and NOPH
- Minimum of Ten (10) copies of the Record of Public Meeting
- Responses to Comments
- Minimum of Ten (10) copies of the Administrative Final IS/EA
- Minimum of Fifty (50) copies of the Final IS/EA and MND/FONSI
- Filing of the Notice of Determination
- Minimum of Ten (10) copies each of the Draft & Final NOD
- Original and a minimum of Ten (10) copies of the ECR

ATTACHMENT B -- COST PROPOSAL

COST PROPOSAL

I-10 HOV Lanes

Project Report & Environmental Document (PA&ED)

May 24, 2007

Submitted to:

San Bernardino Associated Governments (SANBAG)

Submitted by: Parsons

ATTACHMENT B – COST PROPOSAL**I-10 HOV Lanes****Project Report & Environmental Document (PA&ED)**

May 24, 2007

San Bernardino Associated Governments (SANBAG)

Submitted by: Parsons

I. PARSONS DIRECT SALARY COSTS

Personnel Category	Billing Rate	Hours	Total
Project Manager	\$73.74	2974	\$219,301.27
Project Principal	\$89.27	74	\$8,806.17
Roadway Lead	\$71.42	1527	\$109,052.09
Environmental Lead	\$86.21	356	\$30,689.43
Senior Specialist	\$78.52	3467	\$272,244.82
Senior Project Engineer/Planner	\$64.28	7466	\$479,783.17
Engineer/Designer/Planner	\$53.60	10703	\$373,670.82
Environmental/Tech Specialist	\$42.60	2379	\$101,347.58
Environmental/Tech Staff	\$32.24	1932	\$62,279.63
Assoc. Environmental/Tech Staff	\$24.92	978	\$24,374.59
CAD/Graphics	\$37.74	4426	\$167,020.57
Clerical/Administrative	\$29.71	1988	\$59,059.50
Structures Lead	\$70.56	1258	\$88,818.96
Senior Structural Engineer	\$63.66	1956	\$124,518.96
Structures Project Engineer	\$49.87	573	\$28,723.39
Structures CAD	\$39.52	2304	\$91,059.26
Subtotal		44,362	\$2,438,350.22 (1)

II. INDIRECT RATE

INDIRECT RATE 150.00 % x $\frac{\$ 2,438,350.22}{\text{Subtotal (1)}}$ = Subtotal \$ 3,657,525.34 (2)

III. FIXED FEE

10 % x $\frac{\$ 3,095,375.33}{\text{Total (1) + (2)}}$ = Subtotal \$ 609,537.56 (3)

IV. ODCs

Item	Amount
Travel/Mileage	\$ 29,565.50
Plots/Reproduction/Commercial Printing/Photos/Digital Mapping	\$ 254,072.00
Mail/Courier	\$ 9,600.00
Miscellaneous	\$ 31,850.00
Aerial Photos	\$ 2,700.00
Excavator/Frontend Loader (EMI - Fault Rupture)	\$ 186,000.00
Shoring/Temporary Fencing (EMI - Fault Rupture)	\$ 22,000.00
Geophysical (EMI - Fault Rupture)	\$ 20,000.00
Allocation (Kimley-Horn)	\$ 16,055.49
Computers/Sound Meters/Equipment Fees	\$ 34,540.00
Records Search Fees/Environmental Lien Data	\$ 7,375.00
Subtotal \$	614,357.99 (4)

V. SUBCONTRACTORS' LABOR COSTS

David Evans & Associates	\$1,382,716.25
Kimley-Horn	\$535,182.88
Paragon Partners	\$19,749.40
Earth Mechanics	\$514,407.51
Applied Earthworks	\$22,082.19
Arellano & Associates	\$58,333.44
Michael Brandman & Associates	\$50,035.04
Subtotal \$	2,582,506.71 (5)

VI. TOTAL AMOUNT

Total \$ 9,902,327.81 (Total 1-6)

CALL \$9,902,330

- San Bernardino County Transportation Commission ■ San Bernardino County Transportation Authority
■ San Bernardino County Congestion Management Agency ■ Service Authority for Freeway Emergencies

Minute Action

AGENDA ITEM: 16

Date: July 11, 2007

Subject: Approve Contract No. C08011 with HDR for Colton Crossing BNSF/UPRR Railroad Grade Separation Project Development Consultant Services

*Recommendation:** Approve Contract No. C08011 with HDR for Project Development Consultant Services for the Colton Crossing BNSF/UPRR railroad grade separation project in an amount not to exceed \$3,689,000 as described in the financial impact section below. TN 87908000

Background: This is a new consultant services contract. In November 2006 the Board authorized the release of a Request for Qualifications 07-102 (RFQ) to Engineering/Environmental Consultants for project development activities for the Colton Crossing BNSF/UPRR railroad grade separation project. The scope of these activities includes preliminary engineering approved by the two freight railroads BNSF and UPRR and an environmental document to support both California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA) clearance. SANBAG received five Statements of Qualification (SOQ) in response to the RFQ. The teams that submitted SOQs included:

- DMJM+Harris/Jones and Stokes
- HDR/LSA
- LAN Engineering/LSA
- Parsons Brinkerhoff Quade & Douglas (PBQ&D)/LSA
- The Wilson Company/URS Corporation

Approved
Board of Directors

Date: July 11, 2007

Moved: *Second:*

In Favor: *Opposed:* *Abstained:*

Witnessed: _____

Utilizing a derivation of the SANBAG consultant selection process a committee consisting of one representative from the City of Colton, one representative from the Southern California Regional Rail Authority (Metrolink), one representative from the Riverside County Transportation Commission, one representative from Caltrans Division of Rail, one representative from the BNSF Railroad, one representative from the UP Railroad, and two SANBAG staff reviewed and rated all five SOQs. Each Statement of Qualification (SOQ) was rated in five categories, firm qualifications, personnel qualifications, staffing capability, project understanding, and quality assurance/quality control (QA/QC) approach. Four of the five teams submitted SOQs that conveyed a strong knowledge and understanding of the project and substantial experience for the principal discipline lead staff. The four short-listed teams included:

- DMJM+Harris/Jones & Stokes
- HDR/LSA
- LAN Engineering/LSA
- The Wilson Company/URS Corporation

Interviews were conducted on March 1, 2007 with a selection panel that consisted of same representatives that reviewed the written SOQs. Again, firms were rated based on firm qualifications, personnel qualifications (with particular attention to relevant projects), staffing capability (depth and availability), project understanding, and QA/QC. While all four teams exhibited a variety of strengths in their presentation and responses during the question and answer period, two teams conveyed a significantly greater project understanding and working relationship with the two freight railroads; the two teams being the DMJM Team and the HDR Team. The HDR team set itself apart by including a substantial public/community outreach component in their project strategy which particularly impressed the various public agency panelists. While not unanimous, the selection committee consensus was that the HDR Team was ultimately the preferred team for the project.

The selection panel recommends this contract to the Major Projects Committee and the Board of Directors. The contract cost negotiated with HDR is consistent with the work included in the scope of work used for the RFQ and is included in the approved SANBAG 2007/2008 Annual Budget.

Caltrans and California Transportation Commission (CTC) in consultation with SANBAG included \$2.189 million of Interregional Transportation Improvement Program (ITIP) funds in the 2006 State Transportation

Improvement Program to fund preliminary engineering and environmental document development. The CTC, at its' October 2006 meeting, "voted" the \$2.2 million to SANBAG to act as lead agency for these efforts and approved an additional \$1.5 million of ITIP funds from the 2006 STIP Augmentation Program earlier this month to ensure 100% State funding for preliminary engineering and environmental document.

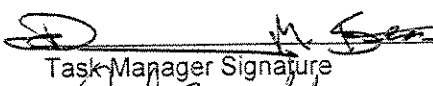
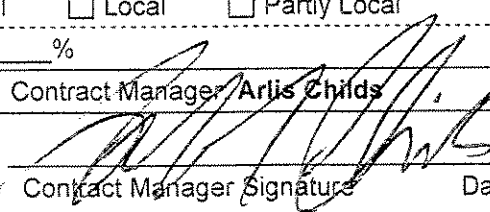
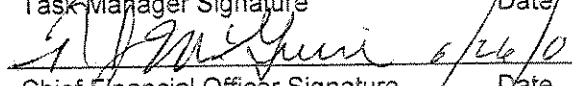
Financial Impact: This action is consistent with the 2007/08 Budget. The funding source for project development activities are Interregional Transportation Improvement Program (ITIP) funds programmed by Caltrans in 2006 STIP and 2006 STIP Augmentation. TN 87908000 (Colton Crossing Project Development)

Reviewed By: This item was reviewed and recommended for approval 10-0-2 (Chastain and Nuaimi abstained), by the Major Projects Committee on June 14, 2007. (Meeting chaired by John Pomierski).

Responsible Staff: Darren Kettle, Director of Freeway Construction

SANBAG Contract No. C08011
by and between
San Bernardino County Transportation Authority
and
HDR Engineering Inc.
for
Provide Engineering and Environmental Services

FOR ACCOUNTING PURPOSES ONLY				
<input checked="" type="checkbox"/> Payable <input type="checkbox"/> Receivable	Vendor Contract # <u>C08011</u> Vendor ID _____	Retention: Yes 10 % <input type="checkbox"/> No	<input checked="" type="checkbox"/> Original <input type="checkbox"/> Amendment	
Notes:				
Original Contract: \$ <u>3,340,786</u> Contingency Amount: \$ <u>348,214</u>		Previous Amendments Total: \$ _____ Previous Amendments Contingency Total: \$ _____ Current Amendment: \$ _____ Current Amendment Contingency: \$ _____		
Contingency Amount requires specific authorization by Task Manager prior to release.				
Contract TOTAL →				\$ <u>3,689,000</u>
↓ Please include funding allocation for the original contract or the amendment.				
<u>Task</u>	<u>Cost Code</u>	<u>Funding Sources</u>	<u>Grant ID</u>	<u>Amounts</u>
<u>879</u>	_____	<u>ITIP</u>	_____	\$ <u>3,689,000</u>
_____	_____	_____	_____	\$ _____
_____	_____	_____	_____	\$ _____
_____	_____	_____	_____	\$ _____
Original Board Approved Contract Date: <u>07/11/07</u> Contract Start: <u>07/11/07</u> Contract End: <u>09/11/09</u>				
New Amend. Approval (Board) Date: _____ Amend. Start: _____ Amend. End: _____				
If this is a multi-year contract/amendment, please allocate budget authority among approved budget authority and future fiscal year(s)-unbudgeted obligations:				
Approved Budget Authority →	Fiscal Year: <u>07/08</u> \$ <u>2,000,000</u>		Future Fiscal Year(s) – Unbudgeted Obligation →	\$ <u>1,689,000</u>
Is this consistent with the adopted budget? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No				
If yes, which Task includes budget authority? <u>879</u>				
If no, has the budget amendment been submitted? <input type="checkbox"/> Yes <input type="checkbox"/> No				
CONTRACT MANAGEMENT				
Please mark an "X" next to all that apply:				
<input type="checkbox"/> Intergovernmental <input checked="" type="checkbox"/> Private <input type="checkbox"/> Non-Local <input type="checkbox"/> Local <input type="checkbox"/> Partly Local				
Disadvantaged Business Enterprise: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes _____%				
Task Manager: <u>Darren Kettle</u>			Contract Manager: <u>Arlis Childs</u>	

 Task Manager Signature	Date	<u>6-25-07</u>	 Contract Manager Signature	Date	<u>26 JUNE 07</u>
 Chief Financial Officer Signature	Date	<u>6/26/07</u>			

ATTACHMENT "A"

Scope of Services

Project Report and Environmental Document
for the
UPRR / BNSF Colton Crossing Grade Separation Project



June 7, 2007

HDR | ONE COMPANY
Many Solutions™

Scope of Services

Scope of Work and Project Objective

The following scope of work has been prepared by HDR Engineering, Inc. (CONSULTANT) for SANBAG (AUTHORITY) for the Colton Crossing Grade Separation Project (PROJECT). The scope of work is to provide engineering services, public outreach assistance, and environmental services to prepare a Project Report (PR) and Environmental Document (ED) for a grade separation of the BNSF and UPRR tracks at Colton Crossing encompassing an area between Rancho Avenue and Mount Vernon Avenue south of Interstate 10 in the City of Colton, CA (refer to Exhibit C). This Scope of Work has been prepared in general accordance with the SANBAG RFQ for the Colton Crossing Grade Separation Project, dated December 18, 2006.

Project Description

The Colton Crossing Grade Separation Project includes the following key components:

1. Preliminary Engineering and Engineering Support Services to assist SANBAG in developing the key elements of the project, prepare a Project Report, and to support the environmental process. During the alternative analysis phase, up to five possible concepts will be developed for an initial screening process within the study area. Based on the results of the initial screening, up to two feasible alternatives will be developed to the conceptual design level and re-screened to determine the recommended preferred alternative. The recommended preferred alternative will be developed to a 25% design level.
2. Public Outreach Assistance to assist SANBAG in creating a public outreach program for the project that would involve project stakeholders including key elected officials, property owners, residential and merchant groups and business and community leaders.
3. Environmental services to assist SANBAG in the environmental process. The assumed Environmental Document for this project is a Categorical Exclusion/Statutory Exemption (CE/SE). Environmental services/preliminary engineering to support an Initial Study (IS) leading to a Mitigated Negative Declaration (MND) and an Environmental Assessment (EA) resulting in a Finding of No Significant Impact (FONSI) is included as an optional task.
4. This scope of work does not include the project known as the "UPRR Flyover Over BNSF Tracks," as described in the UPRR/BNSF Feasibility Study. It is understood that this project may be included as a separately negotiated scope change. At this time, it is unknown when/if the "UPRR Flyover over BNSF Tracks" may be included.

Project Team Roles

Firm	Project Role
HDR – Prime Consultant	Project Management; Rail Design; Civil Design; Structures Design
JL Patterson and Associates	Rail Design; Structures Design; Agency Coordination
ATS Consulting	Rail Noise and Vibration Studies
CHJ, Inc.	Geotechnical and Hazardous Materials Studies
David Evans and Associates, Inc.	Surveying; Utilities
Huitt-Zollars	Drainage
LSA Associates, Inc.	Environmental services
Meyer, Mohaddes Associates, Inc.	Traffic
Paragon Partners	Right-of-Way
Tatsumi & Partners	Landscaping
Westbound Communications	Public Outreach Assistance

Scope of Work

A detailed summary of each task is presented below and includes:

- Task Objectives
- Major Activities
- Task Deliverables
- Key Understandings

Task 1 - Administration & Management

This task includes communication and coordination with the AUTHORITY, subconsultants, and stakeholders, and preparation of Project Management and Quality Assurance/Quality Control Plan. The objective of this task is to provide overall management of the CONSULTANT Engineering Services.

- 1.1 **Project Management:** CONSULTANT will provide project management including management of subconsultants, coordination with appropriate agencies and Quality Control/Quality Assurance activities. CONSULTANT will submit monthly invoices with monthly progress report.
- 1.2 **Project Development Team ("PDT") meetings:** CONSULTANT will coordinate and conduct PDT meetings monthly or as needed. Meeting minutes will be prepared and distributed to document and monitor action items.

Task Deliverables:

- Monthly Status Reports, Invoices and Schedule Updates
- Meeting Minutes of PDT Meetings

Key Understandings:

- The AUTHORITY's Project Manager will assist in arranging PDT meetings, distributing status reports to other AUTHORITY staff, and processing invoices. It is assumed that the PDT attendees will consist of the CONSULTANT Project Manager and CONSULTANT Team key support personnel for an estimated time of four hours per meeting.
- A Project kick-off meeting with key AUTHORITY personnel, the railroads, and CONSULTANT Team personnel will be held just prior to NTP to discuss project goals, objectives, lines of communication, and schedule.

Task 2 – Agency Coordination / Public Outreach

This task involves the coordination with local agencies and other project stakeholders.

- 2.1 **Local Agencies:** CONSULTANT will assist the AUTHORITY in coordinating with the State, County, and other local jurisdictions including RCTC, Caltrans, and the City of Colton in the development of the Project. Adherence to local standards will be required where applicable.
- 2.2 **Railroad Coordination:** CONSULTANT will assist the AUTHORITY in coordination with the Union Pacific Railroad (UPRR), Burlington Northern Santa Fe Railway (BNSF), and the Southern California Regional Rail Authority (SCRRA) in addressing issues involving railroad design standards and practices and other technical issues of

concern to the railroads that arise during the design process. CONSULTANT will assist the AUTHORITY in obtaining approvals from UPRR, BNSF, and SCRRA such as design standards, permanent structure clearances, anticipated falsework clearances and construction sequencing.

- 2.3 **Presentations and Visuals:** CONSULTANT will provide presentation material and/or visual aids needed for presentations to SANBAG's Board Members, community groups, political representatives and/or the public at large.
- 2.4 **Public Outreach Program:** Subconsultant will create a public outreach program to involve project stakeholders including key opinion leaders such as elected officials, property owners, residential and merchant groups and business and community leaders. The public outreach program includes execution of public involvement plan, development of a stakeholder identification database, documentation of key stakeholder briefings, and facilitation of public meetings. Work also includes creation of database to include contact information for stakeholders, property owners, residents, businesses, community leaders and project partners (RCTC, SANBAG, Caltrans, BNSF, UP, etc.); development of collateral materials for project including project brochure, fact sheets, fliers to promote community meetings, and e-newsletter; development of press releases, media alerts, calendar listings and other media outreach materials to aid in publicizing community meetings and project milestones; ongoing English- and Spanish-language media outreach; coordinating interviews with AUTHORITY; and monthly activity reports.
- 2.5 **Costs/Benefits Analysis (Optional Task):** CONSULTANT will utilize HDR's *GradeDec* and *RailDec* costs/benefits modeling tools to assist SANBAG in determining the estimated net value of the project to both public and private participants.

Task Deliverables:

- Public Outreach Plan
- One (1) initial scoping meeting
- Three (3) open houses at appropriate project milestones
- Costs/Benefits Analysis Modeling and Report (Optional Task)

Key Understandings:

- AUTHORITY will assist CONSULTANT in coordinating with local agencies.
- CONSULTANT anticipates up to four (4) public outreach meetings.
- CONSULTANT anticipates that up to ten (10) presentations under Task 2.3.

Task 3 – Perform Initial Engineering Analyses

This task involves activities including initial engineering studies for the preparation of supporting documents for Task 4 (Alternative Analysis) and Task 5 (Prepare Project Report and Preliminary Engineering Plans).

Consultant Activities:

- 3.1 **Baseline Analysis:** Prior to initiation of the formal design, CONSULTANT will review the existing data and information relevant to this Project.

- 3.1.1 **Field Review of Project Site:** CONSULTANT will conduct a Project site visit followed by the preparation of a Site Visit Report that will include photos and descriptions detailing observable existing conditions and site observations.
- 3.1.2 **Data Collection & Review of Existing Information:** CONSULTANT will collect and review available existing data and information relevant to the Project. Upon completion of this review, CONSULTANT will prepare a recommendation for additional data required to complete this Project.
- 3.2 **Field Surveys:** CONSULTANT will develop base mapping data and conduct supplemental data collection, site condition assessment and field surveys to support preliminary engineering.
- 3.2.1 **Research:** Perform research to obtain: Field survey notes, sketches, right-of-way maps, monumentation maps, horizontal control, vertical control, record maps, street centerline tie notes and additional data to verify street alignments and rights-of-way.
- 3.2.2 **Record Right of Way and Boundary Surveys:** Perform a) Analyze existing data (field notes, sketches, maps, etc); c) recover key street, right of way and private property monumentation; d) conduct field measurements of the key monumentation only; e) calculate record cadastral information; and f) prepare base map to include record centerline and right-of-way limits as well as underlying cadastral information, ownership information as recorded with the San Bernardino County assessor's office.
- 3.2.3 **Supplemental Field Surveys:** Provide survey control, 40-scale aerial topographic mapping and digital terrain model for project site. Attend railroad safety training. Perform supplemental field surveys to support preliminary engineering tasks including top of rail, structures elevations, large utility crossings, and vertical clearances.
- 3.2.4 **Additional Mapping Services (Optional Task):** Provide additional mapping services to support final design. Perform HDS laser scanning on the bridge structures at Rancho Avenue, Mount Vernon Avenue and La Cadena Drive. Perform additional supplemental field surveys to support preliminary design engineering tasks to provide a detailed depiction of existing planimetric and topographic features within the project area.

Task Deliverables

- Supplemental field surveys in ASCII and/or AutoCAD format
- Aerial Topographic mapping and aerial-derived digital terrain model
- Calculated Boundary and Right of Way in AutoCAD format

Key Understandings

- Record of Survey, including Corner Records, is not included.
- Two (2) survey crew weeks have been estimated for the supplemental field surveys (3.2.3). Two (2) additional survey crew weeks have been estimated for the optional mapping services (3.2.4).

3.3 **Geotechnical Investigation:** CONSULTANT's subconsultant, CHJ Inc. (CHJ), will perform the geotechnical investigation. The purpose of the geotechnical investigation will be to provide geotechnical data to complete preliminary and final design and preparation of environmental documents. The scope of the investigation will consist of the tasks described below.

3.3.1 **Preliminary Geotechnical Investigation:** CONSULTANT will perform the following subtasks:

3.3.1.1 **Data Review/Geologic Reconnaissance Survey:** Pertinent geological and available geotechnical data will be reviewed including the following:

- Perform a geologic reconnaissance survey and geologic mapping of the alignment;
- Review available logs of test borings for adjacent facilities, including Caltrans bridges;
- Review aerial photographs dating back to the 1920s or 1930s
- Review published geologic hazard data;
- Review City and/or County Seismic Safety Element Report;
- Review available seismic information including peak ground accelerations (PGAs) for various hazard levels;
- Review available historical groundwater level data;
- Review available existing utility plans.

3.3.1.2 **Subsurface Investigation:** Because of the potential for encountering contaminated soil or groundwater, subsurface exploration will be conducted following completion of the Phase I and Phase II Environmental Site Assessments described in Section 3.3.2. The subsurface investigation will consist of ten soil borings and eight cone penetration test (CPT) soundings. Soil borings will be advanced to depths ranging from 30 to 120 feet below the existing ground surface (bgs) or refusal, depending on location. The CPT soundings will help delineate the underlying soils with higher resolution than standard sampling with a conventional drill rig. CPT soundings will be advanced to depths ranging from 30 to 80 feet bgs or refusal, depending on location. The CPT soundings will be used in conjunction with the traditional borings allowing for sampling and correlation of soil types and more precise measurements of the depth and thickness of the soil layers. Specific elements of the field investigation will consist of the following:

- Obtain encroachment/access permits from the City of Colton, Caltrans, UPRR, BNSF, and/or SCRRA.
- Contact Underground Service Alert (USA) to check location for underground utilities as related to the proposed field investigation. Geophysical survey will also be performed to clear the boring locations, if deemed necessary.

- Rely on available subsurface plans indicating any underground utilities
- Drilling with a truck-mounted drill rig provided by an outside licensed drilling contractor. The borings will be performed using a high torque drill rig using hollow-stem auger drilling techniques.
- CPT soundings will be advanced with a 30-ton CPT rig provided by an outside licensed contractor.
- Prepare logs of the borings and CPT soundings.
- Collect soil samples at approximately 5 feet intervals with either a drive sampler or a standard penetration test (SPT) sampler.
- Collect bulk samples near the ground surface.
- Backfill the borings with bentonite slurry.
- Patch the surface of the borings with cold patch asphalt where necessary.
- Monitor the soil sample headspace for volatile organic compounds using a photo ionization detector (PID).
- Drum soil cuttings for disposal. (Optional)

3.3.1.3 **Laboratory Testing:** Soil samples collected during the field investigation will be reexamined to confirm field classifications and to select samples for testing.. We estimate that we will conduct the laboratory tests outlined in Table 1.

Table 1 - LABORATORY TESTS

TEST	PURPOSE	QUANTITY
Moisture content/dry density	Correlation/grading factors	180
Atterberg limits/particle size distribution	Classification/correlation/expansion potential	25
Shear strength	Foundations/lateral earth pressures/stability	20
Consolidation	Settlement	15
pH, sulfates, chlorides, and electrical resistivity	Soil corrosion potential	10 sets
R-value Test	Pavement Subgrade Support	4
Sand Equivalent	Backfill	15
Maximum Density / Optimum Moisture	Grading factors, foundation design	5

3.3.1.4 **Engineering Analysis and Reporting:** We will then perform the following:

- Analyze seismic hazards and provide AREMA PGA values and acceleration response spectra (ARS).
- Perform liquefaction and seismic settlement analyses.
- Develop recommendations for design and construction including :
 - Cast-in-drilled-hole (CIDH) piles for retaining wall and bridge support
 - Spread foundations for retaining wall and minor structure support

- Retaining walls including lateral earth pressure, friction coefficient and drainage
- Earthwork including removal depths of unsuitable soil and material and compaction requirements
- Fill slopes including keying, benching and subdrainage
- Prepare a geotechnical investigation report that will include logs of the exploratory borings, laboratory test results and conclusion and recommendations regarding design and construction of the project.

3.3.2 Phase I and Phase II Environmental Site Assessments

3.3.2.1 **Phase I Environmental Site Assessment:** CONSULTANT will provide a Phase I Environmental Site Assessment (Phase I) to investigate historical evidence of potential site contamination. The Phase I will be performed in general accordance with ASTM Designation E 1527-05, Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process. We will conduct an electronic review of available existing local, state, and federal-maintained databases of hazardous materials sites and underground storage tank records based on a corridor of approximately one half mile on either side of the existing railway. Research of County Hazardous Materials Division records will be conducted based on the results of the electronic database search. Readily available historical aerial photographs, topographic maps, and other historical maps will be reviewed to help identify prior land uses. A site reconnaissance will be performed to assess current conditions. Interviews with railroad personnel or other individuals knowledgeable of the subject site or specific portions of the subject site will be conducted, as such individuals are available. Efforts will not be made to interview owners of every adjacent site within the subject site area. Potential areas of concern within the subject site or adjacent properties identified during the site assessment process will be described. CONSULTANT will prepare a report that presents findings based upon the site reconnaissance, database search, and historical records review. This scope of work does not include review of private records.

3.3.2.2 **Phase II Environmental Site Assessment:** Concurrent with the Phase I Environmental Site Assessment, CONSULTANT will conduct a Phase II investigation consisting of limited subsurface environmental sampling and testing. Surficial samples will be obtained and tested for suspected contaminants identified in the 1998 ISA performed by LSA Associates, identified during our Phase I site reconnaissance and research and/or other constituents that we feel might be present in this railroad right-of-way environment. One on-site facility addressed in the 1998 ISA, CALWALL Gypsum Supply, located at 125 N. 9th Street, was identified on Leaking Underground Storage Tank (LUST) lists and noted to have a structure or structures which will be demolished and will require lead paint and asbestos surveys. Asbestos sampling and

testing will be conducted by a California Certified Asbestos Consultant.

Additional subsurface samples will be obtained for environmental analytical testing using a truck-mounted drill rig. Eight soil borings will be advanced to approximately 60 feet below the existing ground surface (bgs) or refusal at generally 1/4 mile intervals along the alignment. One of the eight proposed borings will be located adjacent to the previously identified LUST location at 125 N. 9th Street to investigate the extent of remaining contamination, if any. Specific elements of the subsurface sampling and testing will consist of the following:

- Obtain applicable encroachment/access permits from the City of Colton, Caltrans, UPRR, BNSF, and/or SCRRA.
- Contact Underground Service Alert (USA) to check locations for underground utilities as related to the proposed field investigation. Geophysical survey will also be performed to clear the boring locations, if deemed necessary.
- Rely on available subsurface plans indicating any underground utilities.
- Drilling with a truck-mounted drill rig provided by an outside licensed drilling contractor. The borings will be performed using a high torque drill rig using hollow-stem auger drilling techniques.
- Prepare logs of the borings.
- Collect soil samples at approximately 5 feet intervals with a drive sampler lined with three 6-inch brass sleeves. It is proposed to collect the upper two 6-inch brass sleeves at each interval for possible analysis. One sleeve from each interval will be combined to form two composite samples for each boring, approximately the upper 30 feet and the lower 30 feet. One sleeve from each interval will be retained as a discrete sample for further analysis, as needed.
- Decontaminate all sampling equipment prior to and between all sampling intervals.
- Backfill the borings with bentonite slurry.
- Patch the surface of the borings with cold patch asphalt where necessary.
- Drum soil cuttings for disposal. (Optional)

It is proposed to analyze two composite samples from each of the eight borings for total petroleum hydrocarbons, volatile and semivolatile organic compounds, heavy metals, and polychlorinated biphenyls. Discrete samples from each interval would be held by the laboratory for additional analysis, as needed.

Analytical results will be evaluated following analysis of composite and

discrete samples. If subsurface contamination is discovered or suspected at proposed geotechnical boring locations, the scope of the proposed geotechnical investigation will be altered to allow for proper handling of contaminated soils.

The findings of the Phase II Limited Subsurface Environmental Sampling and Testing can either be presented in a combined Phase I and Phase II Report or be reported independently. If analytical results indicate the need for additional characterization or remediation, recommendations will be provided.

Task Deliverables:

- Six (6) copies of the draft and final geotechnical investigation report.
- Three (3) copies of draft and final Phase I and Phase II Environmental Site Assessment Report(s).

Key Understandings:

- Access to the site is provided.
- Encroachment/access permits other than City of Colton, Caltrans or railroads are not required.
- Prevailing wage rules do not apply to fieldwork.
- The field investigation locations are accessible to the proposed field equipment listed in 3.3.1.2 and 3.3.2.
- Surcharge fees associated with geotechnical sampling and testing of contaminated soil will be invoiced as extra cost.
- Boring soil cuttings will be drummed for disposal. (Optional)
- Field work performed during regular work hours (8 am to 5 pm, Monday through Friday).
- Response to one set of review comments included.
- Boring and CPT locations will be identified on plans by CONSULTANT prior to exploration. They will be surveyed and marked in field by others prior to field investigation.
- Review of private records not included.
- Maximum of three interviews will be conducted.

- 3.4 **Rail Operations Analysis:** A rail operations analysis will be performed for the Colton Crossing Grade Separation Project, providing an analysis examining existing and future rail operations in the project vicinity. The analysis will support the Need and Purpose of the project by demonstrating the reduced rail delay resulting from project implementation. It will also function as a technical report for the Project Report and environmental documents.

Existing rail operating conditions will be examined for the following scenarios:

- Existing conditions.
- Project opening year, without proposed improvements.
- Project opening year, with proposed improvements.

Task Deliverables:

- Draft and Final Rail Operations Analysis Reports (3 copies each)

Key Understandings:

- Rail Operations Analysis Report will be based on the available data provided by UPRR, BNSF, and SCRRA.
- AUTHORITY will assist CONSULTANT to obtain the necessary data to develop the Rail Operations Analysis Report.

- 3.5 **Traffic Management Plan (TMP):** CONSULTANT will develop a Traffic Management Plan that addresses detours and traffic operations during construction in accordance with the requirements and in coordination with the local jurisdictions.

Task Deliverables:

- Draft and Final Rail Traffic Management Plan (5 copies each)

- 3.6 **Right-of-Way Assistance:** CONSULTANT will provide a Right-of-Way Evaluation Report including ownership list, Property Data Sheets, and right-of-way exhibits.

Task Deliverables:

- Right-of-Way Evaluation Report (5 copies)

- 3.7 **Utilities Evaluation:** CONSULTANT will review existing available utility information, identify known affected utilities that would potentially require relocation, and evaluate utility impacts for each alternative. CONSULTANT will perform the following activities:

- Perform preplanning utility search utilizing Underground Service Alert of Southern California.
- Prepare utility/permit information matrix.

Task Deliverables:

- Utility coordination matrix.

Key Understandings:

- Potholing is not included.

- 3.8 **Hydrology Study:** CONSULTANT will perform research and data collection to obtain available existing documents such as hydrology and hydraulic calculation, County of San Bernardino master plan of drainage requirements for the subject area, City of Colton master plan of drainage and existing underground storm drain facilities or proposed facilities by the City, the County of San Bernardino and Caltrans. Review existing information to evaluate the proposed alternatives and the effects on the existing and proposed storm drain facilities.

After the research and data collection, CONSULTANT will prepare a preliminary hydrology and hydraulic report and related hydrology maps to quantify the existing conditions for a 100-year frequency storm. This includes a preliminary evaluation of the existing drainage systems in the project area. The study will address drainage flow patterns, outflows, and capacities of the existing system. Existing and proposed storm drain systems, and areas of drainage concern will be evaluated with the respective alternatives and documented with recommendations.

Task Deliverables:

- Hydrology Study Report (5 copies)

Key Understandings:

- The hydrology analysis will be based on existing hydrology reports and existing topographic survey or as-built information, and no additional field survey or aerial mapping will be performed for the preparation of report.
- The drainage system will be designated to collect only surface flows. It is assumed that a subdrain system to handle potential high ground water will not be required.
- The Hydrology Study will be performed for the recommended preferred alternative only.

Task 4 – Alternatives Analysis

This task includes identifying a range of alternative alignments for evaluation using a tiered engineering and environmental screening process. After the initial screening, the remaining alternatives identified as feasible will be further developed to determine a recommended preferred alternative.

- 4.1 **Establish Design and Screening Criteria:** Based on the need and the objectives for the Project, design criteria and the limit of Project study area will be developed prior to development of alternatives. These criteria will include the engineering, environmental, and operational elements and will be used as screening criteria to evaluate alternatives.
- 4.2 **Develop and Screen Initial Alternatives:** Up to five possible concepts will be developed for an initial screening process within the study area. Based on the results of the initial screening, up to two feasible alternatives will be developed to the conceptual design level.
- 4.3 **Refine and Recommend Preferred Alternative:** A two-step screening process will be used to evaluate feasible alternatives. Based on the results of the initial screening, up to two alternatives considered feasible will be developed to the conceptual design level and re-screened. Shoofly track alternatives will be analyzed and a preliminary shoofly plan will be developed for and submitted to UPRR, BNSF and SCRRA for review. The alternatives will be evaluated both from an engineering and environmental standpoint. Evaluation considerations will include length, geometry, construction cost, size and type of structures, right-of-way required, as well as the environmental technical analyses. The result of these evaluations will be tabulated and documented in the Alternative Analysis Report. A preferred alternative will be recommended that will carry through the environmental documentation process.

After initial screening of alternatives, two superstructure structure type systems (concrete versus steel) will be evaluated. A concept layout and section will be developed for each structure type. The estimated probable construction cost for each structure type system will be prepared. It is assumed that UPRR/BNSF standard bridge structure components will be used for this evaluation.

- 4.4 **Alternative Analysis Report:** An alternative analysis report will be prepared detailing the study methodology, alternatives investigated, alternative evaluations matrix, and recommended preferred alternative. The report will also include layout of alternatives considered, conceptual plans of feasible alternatives, and probable construction cost estimates.

Deliverables:

- Alternative Analysis Report (Draft and Final 3 copies).

Task 5 – Prepare Project Report and Preliminary Engineering Plans

This task includes completion of preliminary engineering design documents (25% design level) for the recommended preferred alternative for review by AUTHORITY, RCTC, Caltrans, City of Colton, UPRR, BNSF, and SCRRA and use in the development of the final construction documents and bid package. The work consists of the following tasks:

- 5.1 **Preliminary Track Plans:** CONSULTANT will prepare preliminary track layouts including typical sections, horizontal and vertical geometries, and required temporary track arrangements for bridge construction staging.
- 5.2 **Preliminary Roadway Plans:** CONSULTANT will prepare preliminary roadway plans including typical sections, plan and profile sheets, and key roadway details.
- 5.3 **Preliminary Structural Plans:** CONSULTANT will prepare preliminary structural plans in accordance with AUTHORITY, AREMA, UPRR, BNSF, and SCRRA requirements. The preliminary structure plans will include structure general plan sheet, bridge typical cross section sheet, retaining wall key map sheet and retaining wall layout sheets. The following information will be included in the plan sheets:
 - Major structure component sizing, including superstructure depth and width, column sizes, footing sizes.
 - Horizontal and vertical clearances, including vertical clearance for vehicular traffic under underpass structure.
 - Typical cross-section of bridge.
 - Horizontal and vertical alignment of bridge, including beginning and end of bridge.
 - Retaining walls type and layout: including preliminary horizontal and vertical layout.
- 5.4 **Preliminary Staged Construction Plan:** CONSULTANT will develop a preliminary staged construction schematic plan.
- 5.5 **Preliminary Utility Plans:** CONSULTANT will develop preliminary composite utility plans showing existing utilities. Preliminary disposition of existing utilities will be identified.
- 5.6 **Preliminary Drainage Plans:** CONSULTANT will develop preliminary drainage plans based on the preliminary hydrology/hydraulics report. Relocation plans and profiles will be for main trunk lines only.
- 5.7 **Preliminary Landscaping Plan:** Tatsumi and Partners, Inc. (T&P) will prepare a conceptual landscape plan depicting proposed landscape treatments for approval by AUTHORITY. Based on the approved concept, CONSULTANT will prepare preliminary landscape planting and irrigation plans.
- 5.8 **Preliminary Estimate of Probable Construction Cost:** CONSULTANT will develop a preliminary engineer's estimate of probable construction cost indicating major cost items and unit and lump sum pricing based on design quantities derived from the drawings.
- 5.9 **Prepare Project Report:** CONSULTANT will develop a Project Report in accordance with the version of CALTRANS' *Project Development Procedures Manual Appendix K – Preparation Guidelines for Project Report* in place as of the date of this scope of work.

Deliverables:

- Project Report, ten (10) copies.

- Drawings, half-size sheets (20 copies), full-size sheets, five (5) copies.
- Preliminary Engineer's Estimate of Probable Construction Cost.

Key Understandings:

- CONSULTANT will prepare 25% plans based on the approved preferred alternative derived from Task 4.
- The Project Report will be prepared in accordance to Caltrans' *Appendix K – Preparation Guidelines for Project Report*.
- The technical aspects of the project will be designed in accordance to American Railway Engineering and Maintenance of Way Association (AREMA), UPRR, and BNSF standards and practices. In the event that conflicting standards are encountered, the most restrictive or stringent standard will be used.
- Bridge structure design criteria will be based on the following guidelines and standards – AREMA *Manual for Railway Engineering 2006 Edition*, as modified by UPRR/BNSF standards and UPRR bridge and track design and construction standards.
- Construction plans are to be developed using English dimensions.
- All drawings will be produced to UPRR CAD standards.
- All railroad signal work, including design and construction, shall be performed by UPRR forces. HDR will provide coordination assistance with UPRR signal forces during preliminary railroad track design.

Task 6 – Environmental Process

Railroad grade separation projects are statutory exemptions under the California Environmental Quality Act (CEQA). Article 18, Section 15282(h), of the CEQA Guidelines (2003) states:

“Any railroad grade separation project which eliminates an existing grade crossing or which reconstructs an existing grade separation as set forth in Section 21080.13 of the Public Resources Code.”

However, since this project may have community impacts the AUTHORITY may want to process an Initial Study and Mitigated Negative Declaration (IS/MND) for CEQA.

Since the proposed project is eligible for federal transportation funds, compliance with the National Environmental Policy Act (NEPA) is required. Under NEPA (23 CFR 771.117[d][3]), projects involving bridge rehabilitation, reconstruction, or replacement, or the construction of a grade separation to replace existing at-grade railroad crossings are excluded from the provisions of NEPA. Therefore, it is assumed that a Categorical Exclusion (CE) will be prepared under NEPA. If it is determined that the Statutory Exemption (SE) does not apply, as an optional task LSA will prepare an IS/MND under CEQA for the project using standard CEQA forms. We are assuming that an SE is the appropriate environmental documentation under CEQA. LSA will prepare a comprehensive Categorical Exclusion/Statutory Exemption (CE/SE) with studies addressing the environmental effects of the proposed grade separations for SANBAG, the City of Colton, Caltrans, and FRA review. Summaries of technical studies will be incorporated into the environmental document as required under NEPA and CEQA.

It is assumed that the project is a Local Assistance Project under the jurisdiction of Caltrans Division of Rail. It is also assumed that SANBAG will be the Lead Agency for CEQA purposes and FRA is the Federal Lead Agency for NEPA.

- 6.1 **Project Initiation:** CONSULTANT will meet with SANBAG, staff from UPRR, BNSF, and SCRRA, City of Colton staff, and Caltrans to define the project description and

schedule and to develop a mutual understanding of the issues and impacts of the project. During this task, LSA will review existing information and participate in a field review of the project site with the consultant project engineer, SANBAG, City of Colton, Caltrans, and FRA. For Task 6.1 LSA will prepare a draft Preliminary Environmental Study (PES) form (using the standard Caltrans form) prior to the site meeting with the consultant project engineer, SANBAG, City of Colton, and Caltrans. The draft PES will be reviewed and revised if needed (assumes one round of revisions), per discussions at the field meeting. The PES will then be submitted to Caltrans for signature and distribution to the project team. LSA technical staff will attend one field meeting (site visit), as required by Caltrans Local Assistance to discuss possible environmental issues with Caltrans staff.

Task Deliverables:

- Twenty (20) total copies of draft and final PES.

Key Understandings:

- Response to one set of review comments on the PES included.
- Attendance at one field review meeting.

6.2 Environmental Technical Studies: In accordance with Caltrans and FRA current procedures and guidelines in place as of the date of this scope of work, LSA will prepare the required technical reports for the project, which will be included as appendices to the CE/SE. Typically, on a project requiring FRA approval, technical studies for hazardous materials, cultural resources, noise (prepared by ATS), air quality, and biological resources are required. The proposed scope of these environmental studies will need to be reviewed and confirmed with Caltrans and FRA at the initial field review meeting.

In addition a visual analysis and community impact assessment are proposed, since the project would affect the existing residents and the viewshed to the north. A Section 4(f) evaluation is not required, since the project is within federally owned property and no 4(f) resources appear to be affected by the project.

6.2.1 Biological Resources

6.2.1.1 Natural Environment Study: LSA will conduct a literature review to assist in determining the existence or potential occurrence of sensitive plant and animal species on site or in the vicinity. Federal and State lists of sensitive species and current database records, including the *California Natural Diversity Data Base* (California Department of Fish and Game [CDFG] 2004) and the California Native Plant Society's *Electronic Inventory of Rare and Endangered Vascular Plants of California* (Skinner, et al. 2004) will be examined. In accordance with Caltrans guidelines, LSA will submit a letter to the U.S. Fish and Wildlife Service (USFWS) requesting a list of threatened and endangered species known from the project vicinity. The results of the records search will be summarized in a table and included in the NES.

The field work for this task will be conducted by qualified LSA biologists to document the presence/absence of sensitive biological resources (e.g., Delhi sands flower-loving fly and San Bernardino kangaroo rat), or to determine the potential for occurrence of such resources that may not be detectable when the fieldwork is conducted. The location of any sensitive

biological resources present on site, including plants and plant communities, will be mapped. LSA recommends conducting the fieldwork in the springtime for plants and July – September for the Delhi sands flower-loving fly to increase the chances to detect and positively identify sensitive species, particularly plants.

LSA will prepare an NESR that will include a description of the field methods used and the results of the biological assessment of the project area. The report will include a list of plant and animal species present within the project area and a general description of the plant communities occurring on site. If any sensitive resources are found on site, LSA will prepare and include in the NES a graphic displaying the location of the sensitive plant communities, potential wetlands/jurisdictional waters of the U.S. on site, and any sensitive biological resources observed. A table describing sensitive species that are present or potentially present will be provided. The report will also identify and assess project impacts on existing biological resources, including any sensitive species. Pursuant to Caltrans *Guidance for Consultants*, recommendations for mitigation measures will be included in the memo transmitting the NES document. These mitigation measures may be conceptual (i.e., specific restoration plans are not included in this scope).

Task Deliverables:

- Twenty (20) total copies of draft and final NES.

Key Understandings:

- LSA will conduct a general biology survey and present the results in the NES Report. The NES Report will go through two review and comment stages and may require revisions at each stage (NES report will be reviewed by Project Team, Caltrans, and FRA).
- The budget includes an optional item to conduct focused surveys for the Delhi sands flower-loving fly and small mammal trapping.
- LSA will conduct a delineation of jurisdictional waters and wetlands for one waterway.
- Section 7 Consultation with the USFWS is not included in the LSA budget.
- LSA will not prepare applications or process permits for Section 401, 404, or 1602 compliance as these permits will not be required until the project is ready to go to construction.
- LSA assumes Caltrans and FRA will each conduct 2 rounds of review of the NES.
- Response to two sets of review comments on the NES included.
- The costs proposal assumes 2 rounds of review on the draft and one final study. The LSA costs estimate assumes a total of 7 hard copies of the Draft NES and 7 copies of the Final NES. Each version of the Draft and the Final Cultural Resources Study will be provided in PDF format on disk and in a reproducible format.

6.2.1.2 **Jurisdictional Delineation:** One drainage course midway between Mt. Vernon Avenue and La Cadena Drive was identified in the PEAR as present within the project area. A wetlands delineation will be conducted according to the 1987 *Corps of Engineers Wetland Delineation Manual*. LSA will also complete a jurisdictional "waters of the U.S." determination according to current Corps standards. Finally, we will determine the extent of any streambed and associated riparian areas subject to review by CDFG under Section 1600 et seq. of the Fish and Game Code.

6.2.1.3 **San Bernardino Kangaroo Rat Focused Survey (Optional Task; only required if there is suitable habitat for the San Bernardino Kangaroo Rat)**

If it is determined that suitable habitat exists on-site for the San Bernardino kangaroo rat (SBKR), LSA will conduct a small mammal trapping survey to determine whether SBKR is present on the project site. The trapping effort will consist of five consecutive nights of trapping and will be conducted in accordance with all U.S. Fish and Wildlife Service (USFWS) permit conditions and the County of Riverside guidelines for small mammal trapping. As part of the survey, all captured small mammals will be identified and other observations of plants and animals will be noted.

The small mammal trapping survey will be performed by an LSA biologist who is permitted by the USFWS to capture the SBKR. Pursuant to the permit requirements, LSA must provide the following information to the USFWS:

- In advance of the trapping survey, identify the site location that will be trapped;
- Authorization (or denial) from the property owner for the USFWS to enter the property during trapping activities;
- Notification within 48 hours of the capture of any threatened or endangered species;
- A trapping survey report within 30 days of completion of the surveys; and
- A summary of trapping results as part of the biological assessment report.

Key Understandings:

If more habitat than the project site needs to be surveyed, or if protocol requirements change, a budget augment may be required.

6.2.1.4 **Focused Delhi Sands Flower-Loving Fly Survey – Year 1 (Optional Task: only required if there is suitable habitat for the Delhi Sands Flower-Loving Fly)**

LSA will conduct a first year focused survey for DSF in accordance with U.S. Fish and Wildlife Service (USFWS) survey protocol (Interim General Survey Guidelines for the Delhi Sands Flower-Loving Fly, 1996). At least 10 days prior to the anticipated start date of the focused survey, LSA will submit a notification of intent to survey to the USFWS. A qualified LSA biologist will then survey the site twice weekly between the hours of 10:00 a.m. and 2:00 p.m. from July 1 thru September 20, 2007. After completion of the focused survey, LSA will prepare a draft report documenting the survey results and submit it to the client for review and comment. Upon receipt of comments, LSA will revise the draft report and submit a final report. The final report will be submitted to the client,

the USFWS and the California Department of Fish and Game simultaneously within 30 days after the last field visit of the survey season. This budget and scope are based on the assumption that less than 50 acres of habitat on the site will need to be surveyed, and that the USFWS will not make changes to the DSF survey protocol before the survey is completed.

Key Understandings:

If more habitat than the project site needs to be surveyed, or if protocol requirements change, a budget augment may be required.

6.2.1.5 Focused Delhi Sands Flower-Loving Fly Survey – Year 2 (Optional Task: only required if there is suitable habitat for the Delhi Sands Flower-Loving Fly)

LSA will conduct a second year focused survey for DSF in accordance with U.S. Fish and Wildlife Service (USFWS) survey protocol (Interim General Survey Guidelines for the Delhi Sands Flower-Loving Fly, 1996). At least 10 days prior to the anticipated start date of the focused survey, LSA will submit a notification of intent to survey to the USFWS. A qualified LSA biologist will then survey the site twice weekly between the hours of 10:00 a.m. and 2:00 p.m. from July 1 thru September 20, 2008. After completion of the focused survey, LSA will prepare a draft report documenting the survey results and submit it to the client for review and comment. Upon receipt of comments, LSA will revise the draft report and submit a final report. The final report will be submitted to the client, the USFWS and the California Department of Fish and Game simultaneously within 30 days after the last field visit of the survey season. This budget and scope are based on the assumption that less than 50 acres of habitat on the site will need to be surveyed, and that the USFWS will not make changes to the DSF survey protocol before the survey is completed.

Key Understandings:

If more habitat than the project site needs to be surveyed, or if protocol requirements change, a budget augment may be required.

6.2.2 Cultural Resources: All cultural resource efforts will be completed in compliance with CEQA and Section 106 of the National Historic Preservation Act (NHPA) and will follow the requirements set forth in the Caltrans *Environmental Handbook Volume II, Cultural Resources* and the *Programmatic Agreement among the Federal Highway Administration, the Advisory Council on Historic Preservation, the California State Historic Preservation Officer, and the California Department of Transportation Regarding Compliance with Section 106 of the National Historic Preservation Act, as it Pertains to the Administration of the Federal-aid Highway Program in California* (Programmatic Agreement). The scope of this proposal stipulates that:

- The APE Map will be prepared by HDR with collaboration between LSA, HDR, SANBAG, and Caltrans;
- no more than twenty-five (25) cultural resources will be identified, documented, and evaluated;

- there is no historic district within the indirect or direct APE; and
- there will be no formal archaeological evaluation or Phase II Test Excavation of prehistoric and historic archaeological resources.

6.2.2.1 *Caltrans APE Map*

LSA will coordinate the production of the project Study Area and/or area of potential effects (APE) map with Caltrans and the engineering team. However, the engineering team will be responsible for preparing the APE Map. This scope of work does not include the preparation of an APE map by LSA. This proposal stipulates that an APE map will be submitted and there will be one round of response to comments.

6.2.2.2 *Research*

A cultural resource records search will be conducted at the San Bernardino Archaeological Information Center (SBAIC), located at the San Bernardino County Museum, Redlands. The SBAIC is the state-designated repository for records concerning cultural resources in San Bernardino County. The records search will provide information on known cultural resources and on previous cultural resources investigations within a one-mile radius of the project area. Data sources that will be consulted at the SBAIC include archaeological site and artifact records, historic maps, reports from previous studies, and the state's Historic Resource Inventory (HRI) for San Bernardino County, which contains listings for National Register of Historic Places (National Register), California Register of Historical Resources (California Register), California Historical Landmarks (CHL), and California Points of Historical Interest (CPHI).

In addition LSA will complete research at various repositories and archives for the properties within the Area of Potential Effects (APE) to determine built dates for any buildings and structures. In addition, LSA will conduct research that will lead to the preparation of a historic context and recommendation of eligibility for the National and California Registers. LSA stipulates that research will be conducted for up to 25 cultural resources. If additional cultural resources are identified within the APE, additional research may be required.

6.2.2.3 *Coordination/Consultation with Client, SANBAG, Caltrans, Native Americans and Other Parties*

LSA anticipates that cultural resource staff will attend up to four meetings with HDR, SANBAG, or Caltrans.

In addition, LSA will contact the Native American Heritage Commission (NAHC). The NAHC will provide a list of Native American groups to contact regarding this project. LSA will coordinate with Caltrans to consult with the tribes. LSA will also consult with other interested parties, including non-federally recognized Native American groups and local historical and archaeological societies. With Caltrans' approval LSA will contact up to 15 groups. LSA will contact each group via certified mail. After 30 days LSA will follow up with those groups that have not

commented, via telephone. LSA will attempt to contact each group up to 2 times. LSA will document all efforts to consult with each group. Additional budget may be required to address issues or concerns raised by any tribes. Consultation will continue throughout the Section 106 compliance effort.

6.2.2.4 Field Survey/DPR Forms

LSA will conduct a systematic field survey of portions of the APE that are not obscured by asphalt/concrete. The ground surface will be visually examined by an archaeologist for evidence of prehistoric (Native American) or historic (non-Native American) archaeological materials and other potential built environment historic resources (e.g., buildings, bridges, railroads, mines, or canals). To meet state standards, any previously unrecorded resources identified during the survey will be recorded on State of California DPR 523 forms. A maximum of 25 DPR 523 forms will be completed by LSA; any additional DPR 523 forms will require additional budget.

6.2.2.5 Reports

LSA will prepare a Caltrans format Historic Property Survey Report (HPSR) Historical Resources Evaluation Report (HRER), and an Archaeological Survey Report (ASR) according to Caltrans specifications. The reports will describe: 1) the results of Native American Consultation, 2) research and field methods used in identifying cultural resources, 3) the archaeological and historic resources identified in the project vicinity, 4) the historic contexts based on the types of cultural resources identified, and 5) the potential of the project to adversely impact any archaeological or historic resources. If any prehistoric or historic archaeological resources are located within the APE, additional tasks may be required. If recommendations for further studies are warranted, these will be presented in a cover letter to Caltrans Division of Rail. This scope of work allows for one round of client/Caltrans comments.

Task Deliverables:

- Twenty (20) total copies of draft and final NES.

Key Understandings:

- Response to two sets of review comments on the ASR and HPSR included.

6.2.3 Noise and Vibration Analysis: A noise and vibration analysis will be performed by ATS to check that the project is in conformance with all applicable local, State, and federal noise and vibration criteria. Task to be completed are as follows:

- Identify noise sensitive land uses that may be affected by the proposed project. A map will be prepared to show sensitive receptors to be modeled in the noise and vibration impact analysis for review and approval by SANBAG, City of Colton, and Caltrans.
- Measure existing noise and vibration levels. Measurements will include 24-hour noise and measurements at two to three locations in the project area plus short-term noise and vibration measurements. The short-term measurements would consist of measurements of two or more UPRR and BNSF freight trains.

The noise and vibration caused by train operations will be separated out from the ambient noise. The monitoring locations will be verified by SANBAG, City of Colton, and Caltrans prior to the field work.

- Develop prediction models. Models will be developed for noise and vibration from both train operations and the anticipated construction activities. These models will be based on the field measurements along with data available from previous ATS projects and from the literature.
- Predict impacts and recommend mitigation measures. The models will be used predict noise and vibration levels during construction and after the grade separation is operational. ATS will recommend specific mitigation measures for any sensitive areas where impacts are predicted. Detailed information related to locations and heights of required sound walls, if required, will be provided to HDR for its use in developing layout plans for the sound walls.
- A reasonable and feasible analysis will be conducted and identified in the noise report for any sound walls recommended based on feasibility guidelines allowance figures developed by Caltrans and FRA.
- Present results in a technical memorandum. The results of the noise and vibration measurements and analysis will be summarized in a technical memorandum.

In addition to the scope outlined above, ATS staff will be available to attend team meetings and public meeting if requested by the HDR Project Manager.

6.2.4 Air Quality Assessment: LSA will prepare an Air Quality Assessment for the project in accordance with Caltrans Transportation Project Level Carbon Monoxide (CO) Protocol, the EPA's fugitive dust conformity rule, and South Coast Air Quality Management District (SCAQMD) CEQA Handbook air quality guidelines. LSA will conduct the screening analyses specified in the protocol and, if required, conduct CALINE4 modeling for CO hot spots for up to 20 receptor locations for the Existing, Future No Build, and each of the Build Alternatives. LSA will evaluate the proposed project's impacts to long-term particulate matter concentrations ($PM_{2.5}$ and PM_{10}) and mobile source air toxics (MSAT) using the Transportation Conformity Guidance for *Qualitative Hot-Spot Analysis in $PM_{2.5}$ and PM_{10} Nonattainment and Maintenance Areas* (EPA, March 2006) and the *Interim Guidelines on Air Toxic Analysis in NEPA Documents* (FHWA, February 2006). Construction-related emissions will be quantified and discussed in a general format unless project-specific information is available.

The air quality analysis will also include discussion of the compatibility of each of the project alternatives with the requirements of the Regional Transportation Plan (RTP) and the Federal Regional Transportation Improvement Program (FRTIP).

Task Deliverables:

- Twenty (20) total copies of draft and final Air Quality.

Key Understandings:

- Response to one set of review comments on the Air Quality Report included.

6.2.5 **Visual Resources Assessment:** A Visual Impact Assessment will be prepared by LSA to assess the potential visual effects associated with construction and operation of the proposed grade separation. Potential visual effects associated with the proposed project will be assessed by (1) identifying potential sensitive viewers adjacent to the project limit; (2) establishing the existing visual characteristic of, to, and from the project site; and (3) analyzing the changed visual character of the project site and adjacent areas that will result from the construction and operation of the proposed grade separation. The Visual Impact Assessment will include up to six (6) photo simulations that will present the visual character of the project site resulting from the construction of the grade separation project.

Task Deliverables:

- Twenty (20) total copies of draft and final Visual Resource Assessment.

Key Understandings:

- Response to one set of review comments on the Visual Resource Assessment included.

6.2.6 **Community Impact Assessment:** LSA will prepare a Community Impact Assessment (CIA) in accordance with the guidelines found in the FHWA Technical Advisory T6640.8A and Caltrans Community Impact Assessment Handbook (1997). The CIA will evaluate the proposed project's socioeconomic impacts utilizing current demographics and current assessor parcel information and complying with guidelines provided in the Caltrans Community Impact Assessment Handbook (June 1997). The CIA will provide a description of existing land use, housing, employment, and population conditions in the vicinity of the project site. The discussion of socioeconomic impacts shall address the potential impacts on the residential population and local business community, including land use compatibility, neighborhood cohesion, tax revenue loss, and employment impacts. Socioeconomic impacts are anticipated to be minor considering the nature of the proposed property acquisitions. The CIA shall also address the project's consistency with relevant local, regional, and State regulations and plans. A statement will be included identifying no potential impacts related to environmental justice (pursuant to Executive Order 12898). A summary will be included identifying the conclusions of the Draft Relocation Impact Statement. Recommendations to avoid, minimize, or mitigate potential socioeconomic impacts shall be identified where feasible.

Task Deliverables:

- Twenty (20) total copies of draft and final Community Impact Assessment.

Key Understandings:

- Response to one set of review comments on the Community Impact Assessment included.

6.3 **Prepare Administrative Draft Categorical Exclusion/Statutory Exemption (CE/SE):** LSA will prepare an Administrative Draft Categorical Exclusion/Statutory Exemption (CE/SE) after the technical studies are reviewed and approved by SANBAG, the City of Colton, and Caltrans and it is determined that a CE/SE is the appropriate form of environmental documentation and clearance. The CE/SE will address the environmental effects of the proposed grade separations for SANBAG, the City of Colton, Caltrans, and

FRA review. Summaries of technical studies will be incorporated into the environmental document as required under NEPA.

6.3.1 Prepare Final CE/SE: LSA will incorporate comments on the Administrative Draft CE/SE into the Final CE/SE and will submit one master document for approval of the Final CE/SE by the AUTHORITY and Caltrans/FRA. As a CE/SE does not require public review this would conclude the environmental task.

6.4 Preparation of Draft IS/EA (Optional Task): If it is determined that an CE/SE is not the appropriate form of environmental documentation for the project, LSA will prepare an Initial Study (IS) leading to a Mitigated Negative Declaration (MND) and an Environmental Assessment (EA) resulting in a Finding of No Significant Impact (FONSI). The results of the technical studies will be presented in a Draft IS/EA. LSA will prepare an administrative Draft IS/EA incorporating the findings of the technical studies for submittal to the AUTHORITY and Caltrans for review (8 copies). We are assuming one round of reviews and written comments by the AUTHORITY and Caltrans.

6.4.1 Preparation of Second Administrative Draft IS/EA: LSA will revise the Draft IS/EA based on comments received from the AUTHORITY and Caltrans and will submit the revised Draft IS/EA to the AUTHORITY and Caltrans for review (8 copies).

6.4.2 Preparation IS/EA for Approval to Circulate (One Copy for Signature): LSA will revise the Draft IS/EA per comments received from Caltrans and FRA and will prepare one copy of the IS/EA for Caltrans and FRA signature for approval to circulate the document for public review (3 copies).

6.4.3 Public Review: LSA will prepare a draft public distribution list per input from the AUTHORITY, Caltrans, and FRA. The IS/EA will be circulated for public review (up to 50 copies) per the distribution list, once the list has been approved by the AUTHORITY, Caltrans, and FRA. LSA will prepare a Notice of Availability and Opportunity for public hearing. Since the project may be controversial and a public hearing may be required, our level of effort does not include attending a public hearing during the 30-day public review on the IS/EA.

6.5 Preparation of Final IS/EA (Optional Task): LSA will prepare Final IS/EA and ND/FONSI for submittal to the AUTHORITY and Caltrans for review. We are assuming one round of reviews and written comments by the AUTHORITY and Caltrans.

6.5.1 Preparation of Draft Response to Comments: Upon close of the public review period, LSA will prepare responses to public and authority comments received regarding the Draft IS/EA. Given that it is not possible to predict the number and/or extent of public comments to be received on the IS/MND, the scope/budget estimates up to 40 hours of professional staff time for preparation of responses to written comments.

LSA will formulate responses to the comments received on the Draft IS/EA within two weeks of receipt of complete set of comments received during the public review period. Once draft responses to comments are completed, they will be submitted to the AUTHORITY for review and comment. As required, the Draft IS/EA will be revised to incorporate relevant comments/data received during the public review period. Revisions to the Draft IS/EA will be identified to facilitate subsequent review. All comments received on the Draft IS/EA during the public

review period, as well as the Response to Comments will be included as an appendix to the Final IS/EA.

- 6.5.2 **Mitigation Monitoring and Reporting Program:** LSA will prepare a Mitigation Monitoring and Reporting Program (MMRP) to implement the mitigation measures (if any) required in the IS/EA for the proposed project. The mitigation measures will be included in a matrix check-off format for ease in tracking implementation. One draft version of the MMRP will be submitted to the AUTHORITY for review, followed by a final MMRP that incorporates relevant comments from AUTHORITY staff. The MMRP will be included as an appendices to the Final IS/EA.
- 6.5.2 **Prepare Final ND/FONSI:** A Final ND/FONSI will be prepared for submittal to FRA (via Caltrans) for review and approval. The Final IS/EA must be circulated for a 30-day public review before the FONSI can be issued. As part of the process for the Final ND/FONSI, prepare and file a Notice of Determination (NOD) (does not include the California Department of Fish and Game filing fee), and prepare a Notice of Availability (NOA) of the Final ND/FONSI. LSA will provide 50 copies of the approved ND/FONSI.
- 6.5.3 **Notice of Determination:** Subsequent to adoption of the ND/FONSI, LSA will provide the AUTHORITY with the Notice of Determination (NOD) for submission to the County Clerk. While LSA will prepare the NOD, it is the responsibility of the AUTHORITY to file the NOD with the County Clerk and OPR (Office of Planning and Research). It should be noted that failure to file the NOD within five business days of project approval will substantially increase the period in which the project approval may be legally challenged. LSA will complete applicable forms to comply with AB 3158 (California Department of Fish and Game filing fees) and provide them to the AUTHORITY for filing. If the project is not exempt, it will be the responsibility of the project proponent to pay any applicable fees. The cost estimate does not include any public noticing of the environmental document in the newspaper(s), filing of the NOD with the County Clerk, or payment of the fees to the County and/or California Department of Fish and Game.

- 6.6 **Meetings:** For budgeting purposes LSA has assumed the attendance of the Environmental Task Manager or her representative at twenty (20) monthly Project Development Team Meetings. In addition LSA has assumed the attendance of LSA staff at an additional five (5) meetings to discuss the project or environmental issues and one (1) community workshop to discuss the project. LSA staff will be available to answer questions and discuss project issues with the project team, AUTHORITY, and Caltrans staff. LSA will maintain liaison with the AUTHORITY, and will participate in key PDT meetings to monitor progress and receive input. These meetings will also be used as project management tools to keep staff and AUTHORITY decision-makers informed.

Deliverables and Key Understandings:

The fee proposal is based on the following assumptions for the preparation of the technical studies and for the IS/EA for the Colton Crossing Project. If the project is not exempt, it will be the responsibility of the project proponent to pay any applicable California Department of Fish and Game fees. The fee proposal does not include any public noticing of the environmental document in the newspaper(s), filing of the NOA and NOD with the

County Clerk, or payment of the fees to the County and/or California Department of Fish and Game.

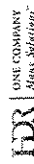
The fee proposal also assumes that the project is not exempt from CEQA, and will qualify for a Mitigated Negative Declaration under CEQA and a Finding of No Significant Effect under Exemption under NEPA. Thus, this fee proposal is based on the assumption that the design of the grade separation will result in less than significant impacts after mitigation and there would be no relocation of existing residents or businesses.

Project Schedule

CONSULTANT's scope of work and fee proposal is based on a twenty-four (24) calendar month schedule. The schedule has been provided for planning purposes only. The actual schedule may vary depending on the duration of AUTHORITY and third party review periods.



HDR Team - Detailed Labor and Fee Breakdown
Project Report and Environmental Document for the UPRR/HSF Cotton Crossing Grade Separation Project
ATTACHMENT "B"



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Task Description	HDR Engineering										Subconsultants							TOTAL PROJECT FEE								
	Project Director	Project Manager	Senior Engineer	Engineer	Design Engineer	CADD	QA/QC	Administrative / Clerical	TOTAL HOURS	HDR	TOTAL FEE	ATS Consulting	CH2I, Inc.	David Evans & Associates, Inc.	Hunt-Zoller	J.L. Patterson & Associates	USA & Associates		TOTAL FEE	Market, Montcaldes Associates, Inc.	TOTAL FEE	Paragon Partners	Tatum & Partners	TOTAL FEE	Communications Westbound	
* Burdened Hourly Rate "A" \$33.00 to \$33.00 / Burdened Hourly Rate "B" \$33.00 to \$33.00																										
TASK 1.0 ADMINISTRATION AND MANAGEMENT																										
1.1 Project Management	4	360	188	188	188	0	0	0	268	614	\$20,632	\$0	\$0	\$0	\$0	\$0	\$13,576	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$12,728
1.2 Project Development	4	360	188	188	188	0	0	0	364	894	\$29,152	\$0	\$0	\$0	\$0	\$0	\$18,200	\$22,764	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$30,028
SUBTOTAL	8	720	376	376	376	0	0	0	632	1508	\$49,784	\$0	\$0	\$0	\$0	\$0	\$31,776	\$45,524	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$60,756
TASK 2.0 AGENCY COORDINATION/PUBLIC OUTREACH																										
2.1 Local Agencies	40	120	120	120	120	0	0	0	40	440	\$55,880	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$65,080
2.2 Railroad Coordination	4	40	160	220	80	120	0	0	40	540	\$33,400	\$0	\$0	\$0	\$0	\$0	\$48,100	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$128,500
2.3 Presentation and Visuals	4	40	80	64	64	120	0	0	40	372	\$52,136	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$58,936
2.4 Public Outreach Program	8	40	40	40	240	0	0	0	80	120	\$20,320	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$17,120
2.5 Cost/Benefit Analysis (Optional)	8	24	240	240	240	0	0	0	80	752	\$105,144	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$109,144
SUBTOTAL	12	184	400	724	544	0	120	80	160	2,224	\$339,880	\$0	\$0	\$0	\$0	\$0	\$52,900	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$555,124
TASK 3.0 PRELIMINARY ENGINEERING ANALYSES																										
3.1 Baseline Analysis	4	24	40	24	24	0	0	0	92	0	\$4,312	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$4,312
3.2 Field Surveys	3.2.1 Research	0	0	0	0	0	0	0	0	0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
3.2.2 Right of Way and Boundary Surveys	0	0	0	0	0	0	0	0	0	0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	
3.2.3 Supplemental Field Surveys	0	0	0	0	0	0	0	0	0	0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	
3.2.4 Additional Mapping Services (Optional)	0	0	0	0	0	0	0	0	0	0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	
3.3 Geotechnical Investigation	16	120	40	40	40	0	0	0	216	0	\$31,456	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$34,156
3.3.1 Preliminary Geotechnical Investigation	0	0	0	0	0	0	0	0	0	0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	
3.3.2 Preliminary Environmental Site Assessment	0	0	0	0	0	0	0	0	0	0	\$107,308	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	
3.4 Rail Operations Analysis	8	260	260	120	120	0	0	0	648	0	\$13,208	\$0	\$0	\$0	\$0	\$0	\$16,400	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$120,760
3.5 Traffic Management Plan	8	40	40	40	40	0	0	0	88	0	\$13,208	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$69,760
3.6 Right of Way Assistance	6	12	12	12	12	0	0	0	20	0	\$3,392	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$24,032
3.7 Utilities Evaluation	8	24	24	24	24	0	0	0	80	0	\$11,102	\$0	\$0	\$0	\$0	\$0	\$26,040	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$47,232
3.8 Hydrology Study	24	24	24	24	24	0	0	0	48	0	\$7,056	\$0	\$0	\$0	\$0	\$0	\$18,720	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$35,272
SUBTOTAL	0	52	404	440	272	0	0	0	1,192	0	\$185,944	\$0	\$61,076	\$207,912	\$78,220	\$54,440	\$0	\$56,560	\$21,440	\$0	\$0	\$0	\$0	\$0	\$0	\$665,032
TASK 4.0 ALTERNATIVE ANALYSIS																										
4.1 Establish Design and Sectioning Criteria	12	24	240	360	320	120	8	8	124	0	\$11,072	\$0	\$0	\$0	\$0	\$0	\$1,984	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$17,056
4.2 Preliminary Design and Sectioning Criteria	24	240	320	320	320	240	8	40	1,302	\$185,224	\$0	\$0	\$0	\$0	\$0	\$0	\$4,584	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$174,808
4.3 Preliminary Design and Sectioning Criteria	24	160	280	280	160	120	8	40	1,302	\$183,104	\$0	\$0	\$0	\$0	\$0	\$0	\$4,280	\$13,988	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$192,372
4.4 Alternative Analysis Report	40	160	160	120	160	120	16	80	856	0	\$115,100	\$0	\$0	\$0	\$0	\$0	\$115,160	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$232,360
SUBTOTAL	0	100	484	760	800	480	40	120	3,564	0	\$718,460	\$0	\$0	\$0	\$0	\$0	\$52,240	\$10,560	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$550,360
TASK 5.0 PREPARE PROJECT REPORT AND PRELIMINARY ENGINEERING PLANS																										
5.1 Preliminary Task Plans	12	220	320	320	320	220	16	1,108	0	\$140,612	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$201,812
5.2 Preliminary Task Plans	12	160	240	240	240	160	16	828	0	\$102,812	\$0	\$0	\$0	\$0	\$0	\$0	\$14,500	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$117,312
5.3 Preliminary Structural Plans	12	360	100	360	360	240	32	1,464	0	\$193,612	\$0	\$0	\$0	\$0	\$0	\$0	\$54,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$258,412
5.4 Preliminary Staged Construction Plan	12	24	80	40	40	40	16	212	0	\$31,082	\$0	\$0	\$0	\$0	\$0	\$0	\$40,400	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$77,572
5.5 Preliminary Utility Plans	8	24	24	24	24	24	8	256	0	\$45,040	\$0	\$0	\$0	\$0	\$0	\$0	\$42,840	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$51,340
5.6 Preliminary Drainage Plans	8	40	60	60	60	60	8	256	0	\$31,928	\$0	\$0	\$0	\$0	\$0	\$0	\$31,820	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$33,820
5.7 Preliminary Landscaping Plan	2	16	4	32	32	32	6	64	0	\$17,916	\$0	\$0	\$0	\$0	\$0	\$0	\$22,100	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$22,100
5.8 Preliminary Cost Estimate	24	96	120	120	120	120	24	680	0	\$102,564	\$0	\$0	\$0	\$0	\$0	\$0	\$12,600	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$135,164
5.9 Project Report	94	496	784	1,136	1,136	1,060	112	60	4,734	0	\$616,296	\$0	\$0	\$0	\$0	\$0	\$25,600	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$891,720

HDR TEAM - PROJECT FEE BY TASK BY PERSONNEL
HDR Team - Detailed Labor and Fee Breakdown
Project Report and Environmental Document for the UPRR/NSF Colton Crossing Grade Separation Project
ATTACHMENT "B"

HDR TEAM - PROJECT FEE BY TASK BY PERSONNEL													HDR Engineering										Subconsultants										TOTAL PROJECT FEE	
Task Description	Director	Project Manager	Senior Engineer	Engineer	Project Engineer	Designer	CADD	QA/QC	Clerical/Administrative	TOTAL HOURS	HDR	TOTAL FEE HDR	ATS Consulting	CH2I, Inc.	TOTAL FEE Devereaux & Associates, Inc.	TOTAL FEE Hunt-Zollars	TOTAL FEE J.L. Patterson & Associates	LSA & Associates	TOTAL FEE Meyer, Mohr & Associates, Inc.	TOTAL FEE Paragon Partners	TOTAL FEE Tatum & Partners	TOTAL FEE Westbound Communications	TOTAL PROJECT FEE											
TASK 6.0 - ENVIRONMENTAL PROCESS																																		
6.1 Environmental Process Initiation & PES	220	181	165	102	132	112	300	170	89	64		10,741	\$0	\$0	\$0	\$0	\$0	\$0	\$11,809	\$0	\$0	\$0	\$0											
6.2 Environmental Technical Studies	231	190	173	170	118	105	305	179	99	64		10,741	\$0	\$0	\$0	\$0	\$0	\$0	11,809	\$0	\$0	\$0	\$0											
6.2.1 Biological Resources										0		\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0											
6.2.1.1 Natural Environment Study										0		\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0											
6.2.1.2 Jurisdictional Delineation										0		\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0											
6.2.1.3 SRRR trapping (optional)										0		\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0											
6.2.1.4 Delta Sands Flower Loring Fly focused survey (year 1) (optional)										0		\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0											
6.2.1.4 Delta Sands Flower Loring Fly focused survey (year 2) (optional)										0		\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0											
6.2.2 Cultural Resources										0		\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0											
6.2.2.1 Cultural Resources										0		\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0											
6.2.2.2 Noise and Vibration Analysis										0		\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0											
6.2.2.3 Air Quality Assessment										0		\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0											
6.2.2.4 Air Quality Assessment										0		\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0											
6.2.2.5 Visual Resources Assessment										0		\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0											
6.2.2.6 Community Impact Assessment										0		\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0											
6.3 Draft CE/SE										0		\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0											
6.4 Draft ISEA (optional)										0		\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0											
6.5 Final ISEA (optional)										0		\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0											
6.5.1 Responses to Comments (optional)										0		\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0											
6.5.2 Mitigation Monitoring Plan (optional)										0		\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0											
6.5.4 Notice of Determination (optional)										0		\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0											
6.6 Meetings										0		\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0											
SUBTOTAL	0	32	40	48	0	0	0	0	0	128		21,428	45,180	81,076	207,912	78,720	482,720	370,015	55,500	21,540	23,928	161,418	3,382.0											
BUDGET FOR OTHER DIRECT COSTS																																		
Budget Allocation for Technology Charges												\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0											
Budget Allocation for Mileage												\$4,000	\$0	\$0	\$4,500	\$250	\$1,500	\$1,600	\$0	\$0	\$0	\$0	\$0											
Budget Allocation for Printing and Copying												\$15,000	\$0	\$0	\$2,500	\$1,500	\$3,000	\$15,000	\$0	\$0	\$0	\$0	\$0											
Budget Allocation for Telephone and Mobile Phone Communications												\$3,000	\$0	\$0	\$0	\$500	\$0	\$0	\$0	\$1,000	\$0	\$0	\$0											
Budget Allocation for UPS, US Postage and Other Miscellaneous Expenses												\$2,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0											
Budget Allowance for Railroad Protective Liability Insurance												\$20,000	\$0	\$0	\$0	\$0	\$0	\$0	\$1,800	\$0	\$0	\$0	\$0											
Budget Allowance for Railroad Flagging (30 days @ \$625/day)												\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0											
Outside Surveying Services (Photogrammetry, Scanning)												\$0	\$0	\$0	\$33,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0											
Outside Geotechnical Services (Drilling, Geophysical Surveys, Laboratory Testing, Environmental Database)												\$0	\$0	\$112,100	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0											
Geotechnical Services for Contaminated Soil (optional) - See CH2I fee Schedule for Detail												\$0	\$0	\$117,300	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0											
SUBTOTAL												\$92,559	20	279,400	40,000	22,750	23,750	17,000	17,800	900	900	17,000	426.1											
TOTAL ESTIMATED FEE (NOT TO EXCEED) WITH OPTIONAL ITEMS												\$1,952,416	45,180	200,476	247,912	80,970	605,570	387,815	56,500	22,440	23,928	168,918	100.00											
PERCENT OF TOTAL FEE												51.70%	1.13%	7.67%	6.54%	2.14%	13.35%	10.24%	1.49%	0.59%	0.63%	4.46%	100.00											
TOTAL ESTIMATED FEE (NOT TO EXCEED) WITHOUT OPTIONAL ITEMS												\$1,845,272	45,180	173,176	174,274	60,970	605,570	240,599	56,500	22,440	23,928	168,918	93.907											

Note:
Our fee estimate is based on Burdened Hourly Rate "A" (\$93.00/hr to \$/3.00/hr).
HDR's fixed fee is 10%.

HDR Team - Overhead Rates
 Project Report and Environmental Document for the UPRR/BNSF Colton Crossing Grade Separation Project
ATTACHMENT "B"

Firms	Fixed Fee	Overhead
HDR Engineering, Inc.	10%	153.86%
ATS Consulting	10%	170.00%
CHJ Inc.	10%	170.00%
David Evans & Associates, Inc.	10%	150.00%
Huitt-Zollars	10%	150.00%
JL Patterson & Associates	10%	135.00%
LSA Associates, Inc.	10%	155.00%
Meyer, Mohaddes & Associates, Inc.	10%	155.00%
Paragon Partners	10%	71.00%
Tatsumi & Partners	10%	145.00%
Westbound Communications	10%	155.00%

CONTRACTOR'S RIGHT OF ENTRY AGREEMENT

THIS AGREEMENT is made and entered into as of the _____ day of _____, 20____, by and between _____, a Delaware corporation ("Railroad"); and _____, a _____ corporation ("Contractor").

RECITALS:

Contractor has been hired by _____ to perform work relating to _____

_____ (the "work"), with all or a portion of such work to be performed on property of Railroad in the vicinity of Railroad's Milepost _____ on Railroad's _____ [Subdivision] [Branch] located at or near _____, in _____ County, State of _____, which work is the subject of a contract dated _____ between _____ Railroad and _____ [as such location is also shown on the print dated _____, marked Exhibit D, attached hereto and hereby made a part hereof.]

Railroad is willing to permit Contractor to perform the work described above at the location described above subject to the terms and conditions contained in this Agreement

AGREEMENT:

NOW, THEREFORE, it is mutually agreed by and between Railroad and Contractor, as follows:

ARTICLE 1 - DEFINITION OF CONTRACTOR.

For purposes of this Agreement, all references in this agreement to Contractor shall include Contractor's contractors, subcontractors, officers, agents and employees, and others acting under its or their authority.

ARTICLE 2 - RIGHT GRANTED; PURPOSE.

Railroad hereby grants to Contractor the right, during the term hereinafter stated and upon and subject to each and all of the terms, provisions and conditions herein contained, to enter upon and have ingress to and egress from the property described in the Recitals for the purpose of performing any work described in the Recitals above. The right herein granted to Contractor is limited to those portions of Railroad's property specifically described herein, or as designated by the Railroad Representative named in Article 4.

ARTICLE 3 - TERMS AND CONDITIONS CONTAINED IN EXHIBITS A, B AND C.

The terms and conditions contained in **Exhibit A**, **Exhibit B** and **Exhibit C**, attached hereto, are hereby made a part of this Agreement.

ARTICLE 4 - ALL EXPENSES TO BE BORNE BY CONTRACTOR; RAILROAD REPRESENTATIVE.

A. Contractor shall bear any and all costs and expenses associated with any work performed by Contractor, or any costs or expenses incurred by Railroad relating to this Agreement.

B. Contractor shall coordinate all of its work with the following Railroad representative or his or her duly authorized representative (the "Railroad Representative"):

C. Contractor, at its own expense, shall adequately police and supervise all work to be performed by Contractor and shall ensure that such work is performed in a safe manner as set forth in Section 7 of **Exhibit A**. The responsibility of Contractor for safe conduct and adequate policing and supervision of Contractor's work shall not be lessened or otherwise affected by Railroad's approval of plans and specifications involving the work, or by Railroad's collaboration in performance of any work, or by the presence at the work site of a Railroad Representative, or by compliance by Contractor with any requests or recommendations made by Railroad Representative.

ARTICLE 5 - TERM; TERMINATION.

A. The grant of right herein made to Contractor shall commence on the date of this Agreement, and continue until _____, unless sooner terminated as herein provided, or at such time as Contractor has completed its work on Railroad's property, whichever is earlier. Contractor agrees to notify the Railroad Representative in writing when it has completed its work on Railroad's property.

B. This Agreement may be terminated by either party on ten (10) days written notice to the other party.

ARTICLE 6 - CERTIFICATE OF INSURANCE.

A. Before commencing any work, Contractor will provide Railroad with the insurance binders, policies, certificates and/or endorsements set forth in **Exhibit B** of this Agreement.

B. All insurance correspondence, binders, policies, certificates and/or endorsements shall be sent to:

[Insert mailing address]

Attn: _____

ARTICLE 7 - DISMISSAL OF CONTRACTOR'S EMPLOYEE.

At the request of Railroad, Contractor shall remove from Railroad's property any employee of Contractor who fails to conform to the instructions of the Railroad Representative in connection with the work on Railroad's property, and any right of Contractor shall be suspended until such removal has occurred. Contractor shall indemnify Railroad against any claims arising from the removal of any such employee from Railroad's property.

ARTICLE 8 - ADMINISTRATIVE FEE.

Upon the execution and delivery of this Agreement, Contractor shall pay to Railroad _____ Dollars (\$_____) as reimbursement for clerical, administrative and handling expenses in connection with the processing of this Agreement.

ARTICLE 9 - CROSSINGS.

No additional vehicular crossings (including temporary haul roads) or pedestrian crossings over Railroad's trackage shall be installed or used by Contractor without the prior written permission of Railroad.

ARTICLE 10 - EXPLOSIVES.

Explosives or other highly flammable substances shall not be stored on Railroad's property without the prior written approval of Railroad.

IN WITNESS WHEREOF, the parties hereto have duly executed this agreement in duplicate as of the date first herein written.

(Name of Railroad)

By: _____

Title _____

(Name of Contractor)

By: _____

Title: _____

EXHIBIT A
TO
CONTRACTOR'S RIGHT OF ENTRY AGREEMENT

Section 1. NOTICE OF COMMENCEMENT OF WORK - FLAGGING.

A. Contractor agrees to notify the Railroad Representative at least ten (10) working days in advance of Contractor commencing its work and at least ten (10) working days in advance of proposed performance of any work by Contractor in which any person or equipment will be within twenty-five (25) feet of any track, or will be near enough to any track that any equipment extension (such as, but not limited to, a crane boom) will reach to within twenty-five (25) feet of any track. No work of any kind shall be performed, and no person, equipment, machinery, tool(s), material(s), vehicle(s), or thing(s) shall be located, operated, placed, or stored within twenty-five (25) feet of any of Railroad's track(s) at any time, for any reason, unless and until a Railroad flagman is provided to watch for trains. Upon receipt of such ten (10)-day notice, the Railroad Representative will determine and inform Contractor whether a flagman need be present and whether Contractor needs to implement any special protective or safety measures. If flagging or other special protective or safety measures are performed by Railroad, Railroad will bill Contractor for such expenses incurred by Railroad, unless Railroad and a federal, state or local governmental entity have agreed that Railroad is to bill such expenses to the federal, state or local governmental entity. If Railroad will be sending the bills to Contractor, Contractor shall pay such bills within thirty (30) days of Contractor's receipt of billing. If Railroad performs any flagging, or other special protective or safety measures are performed by Railroad, Contractor agrees that Contractor is not relieved of any of its responsibilities or liabilities set forth in this Agreement.

B. The rate of pay per hour for each flagman will be the prevailing hourly rate in effect for an eight-hour day for the class of flagmen used during regularly assigned hours and overtime in accordance with Labor Agreements and Schedules in effect at the time the work is performed. In addition to the cost of such labor, a composite charge for vacation, holiday, health and welfare, supplemental sickness, Railroad Retirement and unemployment compensation, supplemental pension, Employees Liability and Property Damage and Administration will be included, computed on actual payroll. The composite charge will be the prevailing composite charge in effect at the time the work is performed. One and one-half times the current hourly rate is paid for overtime, Saturdays and Sundays, and two and one-half times current hourly rate for holidays. Wage rates are subject to change, at any time, by law or by agreement between Railroad and its employees, and may be retroactive as a result of negotiations or a ruling of an authorized governmental agency. Additional charges on labor are also subject to change. If the wage rate or additional charges are changed, Contractor (or the governmental entity, as applicable) shall pay on the basis of the new rates and charges.

C. Reimbursement to Railroad will be required covering the full eight-hour day during which any flagman is furnished, unless the flagman can be assigned to other Railroad work during a portion of such day, in which event reimbursement will not be required for the portion of the day during which the flagman is engaged in other Railroad work. Reimbursement will also be required for any day not actually worked by the flagman following the flagman's assignment to work on the project for which Railroad is required to pay the flagman and which could not reasonably be avoided by Railroad by assignment of such flagman to other work, even though Contractor may not be working during such time. When it becomes necessary for Railroad to bulletin and assign an employee to a flagging position in compliance with union collective bargaining agreements, Contractor must provide Railroad a minimum of five (5) days notice prior to the cessation of the need for a flagman. If five (5) days notice of cessation is not given, Contractor will still be required to pay flagging charges for the five (5) day notice period required by union agreement to be given to the employee, even though flagging is not required for that period. An additional ten (10) days notice must then be given to Railroad if flagging services are needed again after such five day cessation notice has been given to Railroad.

Section 2. LIMITATION AND SUBORDINATION OF RIGHTS GRANTED

A. The foregoing grant of right is subject and subordinate to the prior and continuing right and obligation of the Railroad to use and maintain its entire property including the right and power of Railroad to construct, maintain, repair, renew, use, operate, change, modify or relocate railroad tracks, roadways, signal, communication, fiber optics, or other wirelines, pipelines and other facilities upon, along or across any or all parts of its property, all or any of which may be freely done at any time or times by Railroad without liability to Contractor or to any other party for compensation or damages.

B. The foregoing grant is also subject to all outstanding superior rights (including those in favor of licensees and lessees of Railroad's property, and others) and the right of Railroad to renew and extend the same, and is made without covenant of title or for quiet enjoyment.

Section 3. NO INTERFERENCE WITH OPERATIONS OF RAILROAD AND ITS TENANTS.

A. Contractor shall conduct its operations so as not to interfere with the continuous and uninterrupted use and operation of the railroad tracks and property of Railroad, including without limitation, the operations of Railroad's lessees, licensees or others, unless specifically authorized in advance by the Railroad Representative. Nothing shall be done or permitted to be done by Contractor at any time that would in any manner impair the safety of such operations. When not in use, Contractor's machinery and materials shall be kept at least fifty (50) feet from the centerline of Railroad's nearest track, and there shall be no vehicular crossings of Railroads tracks except at existing open public crossings.

B. Operations of Railroad and work performed by Railroad personnel and delays in the work to be performed by Contractor caused by such railroad operations and work are expected by Contractor, and Contractor agrees that Railroad shall have no liability to Contractor, or any other person or entity for any such delays. The Contractor shall coordinate its activities with those of Railroad and third parties so as to avoid interference with railroad operations. The safe operation of Railroad train movements and other activities by Railroad takes precedence over any work to be performed by Contractor.

Section 4. LIENS.

Contractor shall pay in full all persons who perform labor or provide materials for the work to be performed by Contractor. Contractor shall not create, permit or suffer any mechanic's or materialmen's liens of any kind or nature to be created or enforced against any property of Railroad for any such work performed. Contractor shall indemnify and hold harmless Railroad from and against any and all liens, claims, demands, costs or expenses of whatsoever nature in any way connected with or growing out of such work done, labor performed, or materials furnished. If Contractor fails to promptly cause any lien to be released of record, Railroad may, at its election, discharge the lien or claim of lien at Contractor's expense.

Section 5. PROTECTION OF FIBER OPTIC CABLE SYSTEMS.

A. Fiber optic cable systems may be buried on Railroad's property. Protection of the fiber optic cable systems is of extreme importance since any break could disrupt service to users resulting in business interruption and loss of revenue and profits. Contractor shall telephone Railroad during normal business hours (7:00 a.m. to 9:00 p.m. Central Time, Monday through Friday, except holidays) at _____ (also a 24-hour, 7-day number for emergency calls) to determine if fiber optic cable is buried anywhere on Railroad's property to be used by Contractor. If it is, Contractor will telephone the telecommunications company(ies) involved, make arrangements for a cable locator and, if applicable, for relocation or other protection of the fiber optic cable. Contractor shall not commence any work until all such protection or relocation (if applicable) has been accomplished.

B. In addition to other indemnity provisions in this Agreement, Contractor shall indemnify, defend and hold Railroad harmless from and against all costs, liability and expense whatsoever (including, without limitation, attorneys' fees, court costs and expenses) arising out of any act or omission of

Contractor, its agents and/or employees, that causes or contributes to (1) any damage to or destruction of any telecommunications system on Railroad's property, and/or (2) any injury to or death of any person employed by or on behalf of any telecommunications company, and/or its contractor, agents and/or employees, on Railroad's property. Contractor shall not have or seek recourse against Railroad for any claim or cause of action for alleged loss of profits or revenue or loss of service or other consequential damage to a telecommunication company using Railroad's property or a customer or user of services of the fiber optic cable on Railroad's property.

Section 6. PERMITS - COMPLIANCE WITH LAWS.

In the prosecution of the work covered by this Agreement, Contractor shall secure any and all necessary permits and shall comply with all applicable federal, state and local laws, regulations and enactments affecting the work including, without limitation, all applicable Federal Railroad Administration regulations.

Section 7. SAFETY.

A. Safety of personnel, property, rail operations and the public is of paramount importance in the prosecution of the work performed by Contractor. Contractor shall be responsible for initiating, maintaining and supervising all safety, operations and programs in connection with the work. Contractor shall at a minimum comply with Railroad's safety standards listed in Exhibit C, hereto attached, to ensure uniformity with the safety standards followed by Railroad's own forces. As a part of Contractor's safety responsibilities, Contractor shall notify Railroad if Contractor determines that any of Railroad's safety standards are contrary to good safety practices. Contractor shall furnish copies of Exhibit C to each of its employees before they enter the job site.

B. Without limitation of the provisions of paragraph A above, Contractor shall keep the job site free from safety and health hazards and ensure that its employees are competent and adequately trained in all safety and health aspects of the job.

C. Contractor shall have proper first aid supplies available on the job site so that prompt first aid services may be provided to any person injured on the job site. Contractor shall promptly notify Railroad of any U.S. Occupational Safety and Health Administration reportable injuries. Contractor shall have a nondelegable duty to control its employees while they are on the job site or any other property of Railroad, and to be certain they do not use, be under the influence of, or have in their possession any alcoholic beverage, drug or other substance that may inhibit the safe performance of any work.

D. If and when requested by Railroad, Contractor shall deliver to Railroad a copy of Contractor's safety plan for conducting the work (the "Safety Plan"). Railroad shall have the right, but not the obligation, to require Contractor to correct any deficiencies in the Safety Plan. The terms of this Agreement shall control if there are any inconsistencies between this Agreement and the Safety Plan.

Section 8. INDEMNITY.

A. To the extent not prohibited by applicable statute, Contractor shall indemnify, defend and hold harmless Railroad, its affiliates, and its and their officers, directors, agents and employees ("Indemnified Parties") from and against any and all loss, damage, injury, liability, claim, demand, cost or expense (including, without limitation, attorney's, consultant's and expert's fees, and court costs), fine or penalty (collectively, "Loss") incurred by any person (including, without limitation, any Indemnified Party, Contractor, or any employee of Contractor or of any Indemnified Party) arising out of or in any manner connected with (i) any work performed by Contractor, or (ii) any act or omission of Contractor, its officers, agents or employees, or (iii) any breach of this agreement by Contractor.

B. The right to indemnity under this Section 8 shall accrue upon occurrence of the event giving rise to the Loss, and shall apply regardless of any negligence or strict liability of any Indemnified Party, except where the Loss is caused by the sole active negligence or willful misconduct of an

Indemnified Party as established by the final judgment of a court of competent jurisdiction. The sole active negligence or willful misconduct of any Indemnified Party shall not bar the recovery of any other Indemnified Party.

C. Contractor expressly and specifically assumes potential liability under this Section 8 for claims or actions brought by Contractor's own employees. Contractor waives any immunity it may have under worker's compensation or industrial insurance acts to indemnify Railroad under this Section 8. Contractor acknowledges that this waiver was mutually negotiated by the parties hereto.

D. No court or jury findings in any employee's suit pursuant to any worker's compensation act or the Federal Employers' Liability Act against a party to this Agreement may be relied upon or used by Contractor in any attempt to assert liability against Railroad.

E. The provisions of this Section 8 shall survive the completion of any work performed by Contractor or the termination or expiration of this Agreement. In no event shall this Section 8 or any other provision of this Agreement be deemed to limit any liability Contractor may have to any Indemnified Party by statute or under common law.

Section 9. RESTORATION OF PROPERTY.

In the event Railroad authorizes Contractor to take down any fence of Railroad or in any manner move or disturb any of the other property of Railroad in connection with the work to be performed by Contractor, then in that event Contractor shall, as soon as possible and at Contractor's sole expense, restore such fence and other property to the same condition as the same were in before such fence was taken down or such other property was moved or disturbed. Contractor shall remove all of Contractor's tools, equipment, rubbish and other materials from Railroad's property promptly upon completion of the work, restoring Railroad's property to the same state and condition as when Contractor entered thereon.

Section 10. WAIVER OF DEFAULT.

Waiver by Railroad of any breach or default of any condition, covenant or agreement herein contained to be kept, observed and performed by Contractor shall in no way impair the right of Railroad to avail itself of any remedy for any subsequent breach or default.

Section 11. MODIFICATION - ENTIRE AGREEMENT.

No modification of this Agreement shall be effective unless made in writing and signed by Contractor and Railroad. This Agreement and the exhibits attached hereto and made a part hereof constitute the entire understanding between Contractor and Railroad and cancel and supersede any prior negotiations, understandings or agreements, whether written or oral, with respect to the work to be performed by Contractor.

Section 12. ASSIGNMENT - SUBCONTRACTING.

Contractor shall not assign or subcontract this Agreement, or any interest therein, without the written consent of the Railroad. Contractor shall be responsible for the acts and omissions of all subcontractors, and shall require all subcontractors to maintain the insurance coverage required to be maintained by Contractor as provided in this Agreement, and to indemnify Contractor and Railroad to the same extent as Railroad is indemnified by Contractor under this Agreement.

EXHIBIT B
TO
CONTRACTOR'S
RIGHT OF ENTRY AGREEMENT

Insurance Provisions For
Contractor's Right of Entry Agreement

Contractor shall, at its sole cost and expense, procure and maintain during the course of the Project and until all Project work on Railroad's property has been completed and the Contractor has removed all equipment and materials from the Railroad's property and has cleaned and restored Railroad's property to Railroad's satisfaction, the following insurance coverage:

- A. **Commercial General Liability** insurance. Commercial general liability (CGL) with a limit of not less than \$5,000,000 each occurrence and an aggregate limit of not less than \$10,000,000. CGL insurance must be written on ISO occurrence form CG 00 01 12 04 (or a substitute form providing equivalent coverage).

The policy must also contain the following endorsement, which must be stated on the certificate of insurance:

- Contractual Liability Railroads ISO form CG 24 17 10 01 (or a substitute form providing equivalent coverage) showing "_____ Property" as the Designated Job Site.

- B. **Business Automobile Coverage** insurance. Business auto coverage written on ISO form CA 00 01 (or a substitute form providing equivalent liability coverage) with a combined single limit of not less \$5,000,00 for each accident.

The policy must contain the following endorsements, which must be stated on the certificate of insurance:

- Coverage For Certain Operations In Connection With Railroads ISO form CA 20 70 10 01 (or substitute form providing equivalent coverage) showing "_____ Property" as the Designated Job Site.
- Motor Carrier Act Endorsement – Hazardous materials clean up (MCS-90) if required by law.

C. Workers Compensation and Employers Liability Insurance.

Coverage must include but not be limited to:

- Contractor's statutory liability under the workers' compensation laws of the state(s) affected by this Agreement.
- Employers' Liability (Part B) with limits of at least \$500,000 each accident, \$500,000 disease policy limit \$500,000 each employee.

If Contractor is self-insured, evidence of state approval and excel workers compensation coverage must be provided. Coverage must include liability arising out of the U.S. Longshoremen's and Harbor Workers' Act, the Jones Act, and the Outer Continental Shelf Land Act, if applicable.

The policy must contain the following endorsement, which must be stated on the certificate of insurance:

- Alternate Employer endorsement ISO form WC 00 03 01 A (or a substitute form providing equivalent coverage) showing Railroad in the schedule as the alternate employer (or a substitute form providing equivalent coverage).

D. Railroad Protective Liability insurance. Contractor must maintain Railroad Protective Liability insurance written on ISO occurrence form CG 00 35 12 04 (or a substitute form providing equivalent coverage) on behalf of Railroad as named insured, with a limit of not less than \$2,000,000 per occurrence and an aggregate of \$6,000,000. A binder stating the policy is in place must be submitted to Railroad before the work may be commenced and until the original policy is forwarded to Railroad.

E. Umbrella or Excess insurance. If Contractor utilizes umbrella or excess policies, these policies must "follow form" and afford no less coverage than the primary policy.

F. Pollution Liability insurance. Pollution liability coverage must be written on ISO form Pollution Liability Coverage Form Designated Sites CG 00 39 12 04 (or a substitute form providing equivalent liability coverage), with limits of at least \$5,000,000 per occurrence and an aggregate limit of \$10,000,000.

If the scope of work as defined in this Agreement includes the disposal of any hazardous or non-hazardous materials from the job site, Contractor must furnish to Railroad evidence of pollution legal liability insurance maintained by the disposal site operator for losses arising from the insured facility accepting the materials, with coverage in minimum amounts of \$1,000,000 per loss, and an annual aggregate of \$2,000,000.

Other Requirements

- G. All policy(ies) required above (except worker's compensation and employers liability) must include Railroad as "Additional Insured" using ISO Additional Insured Endorsements CG 20 26, and CA 20 48 (or substitute forms providing equivalent coverage). The coverage provided to Railroad as additional insured shall, to the extent provided under ISO Additional Insured Endorsement CG 20 26, and CA 20 48 provide coverage for Railroad's negligence whether sole or partial, active or passive, and shall not be limited by Contractor's liability under the indemnity provisions of this Agreement.
- H. Punitive damages exclusion, if any, must be deleted (and the deletion indicated on the certificate of insurance), unless the law governing this Agreement prohibits all punitive damages that might arise under this Agreement.
- I. Contractor waives all rights of recovery, and its insurers also waive all rights of subrogation of damages against Railroad and its agents, officers, directors and employees. This waiver must be stated on the certificate of insurance.
- J. All policy(ies) required above (excluding Workers Compensation and if applicable, Railroad Protective) must include a severability of interest endorsement and Railroad must be named as an additional insured with respect to work performed under this Agreement. Severability of interest and naming Railroad as an additional insured must be indicated on the certificate of insurance.
- K. Prior to commencing the work, Contractor shall furnish Railroad with a certificate(s) of insurance, executed by a duly authorized representative of each insurer, showing compliance with the insurance requirements in this Agreement.
- L. All insurance policies must be written by a reputable insurance company acceptable to Railroad or with a current Best's Insurance

Guide Rating of A- and Class VII or better, and authorized to do business in the state(s) in which the work is to be performed.

- M. The fact that insurance is obtained by Contractor or by Railroad on behalf of Contractor will not be deemed to release or diminish the liability of Contractor, including, without limitation, liability under the indemnity provisions of this Agreement. Damages recoverable by Railroad from Contractor or any third party will not be limited by the amount of the required insurance coverage.
- N. For purposes of the insurance requirements of this Agreement, Railroad _____ means "_____",
"_____" and the subsidiaries,
successors, assigns and affiliates of each.

EXHIBIT C
TO
CONTRACTOR'S RIGHT OF ENTRY AGREEMENT

MINIMUM SAFETY REQUIREMENTS

The term "employees" as used herein refer to all employees of Contractor as well as all employees of any subcontractor or agent of Contractor.

I. Clothing

- A. All employees of Contractor will be suitably dressed to perform their duties safely and in a manner that will not interfere with their vision, hearing, or free use of their hands or feet.

Specifically, Contractor's employees must wear:

- (i) Waist-length shirts with sleeves.
 - (ii) Trousers that cover the entire leg. If flare-legged trousers are worn, the trouser bottoms must be tied to prevent catching.
 - (iii) Footwear that covers their ankles and has a defined heel. Employees working on bridges are required to wear safety-toed footwear that conforms to the American National Standards Institute (ANSI) and FRA footwear requirements.
- B. Employees shall not wear boots (other than work boots), sandals, canvas-type shoes, or other shoes that have thin soles or heels that are higher than normal.
- C. Employees must not wear loose or ragged clothing, neckties, finger rings, or other loose jewelry while operating or working on machinery.

II. Personal Protective Equipment

Contractor shall require its employees to wear personal protective equipment as specified by Railroad rules, regulations, or recommended or requested by the Railroad Representative.

- (i) Hard hat that meets the American National Standard (ANSI) Z89.1 – latest revision. Hard hats should be affixed with Contractor's company logo or name.
- (ii) Eye protection that meets American National Standard (ANSI) for occupational and educational eye and face protection, Z87.1 – latest revision. Additional eye protection must be provided to meet specific job situations such as welding, grinding, etc.
- (iii) Hearing protection, which affords enough attenuation to give protection from noise levels that will be occurring on the job site. Hearing protection, in the form of plugs or muffs, must be worn when employees are within:
 - 100 feet of a locomotive or roadway/work equipment
 - 15 feet of power operated tools
 - 150 feet of jet blowers or pile drivers
 - 150 feet of retarders in use (when within 10 feet, employees must wear dual ear protection – plugs and muffs)
- (iv) Other types of personal protective equipment, such as respirators, fall protection equipment, and face shields, must be worn as recommended or requested by the Railroad Representative.

III. On Track Safety

Contractor is responsible for compliance with the Federal Railroad Administration's Roadway Worker Protection regulations – 49CFR214, Subpart C and Railroad's On-Track Safety rules. Under 49CFR214, Subpart C, railroad contractors are responsible for the training of their employees on such regulations. In addition to the instructions contained in Roadway Worker Protection regulations, all employees must:

- (i) Maintain a distance of twenty-five (25) feet to any track unless the Railroad Representative is present to authorize movements.
- (ii) Wear an orange, reflectorized workwear approved by the Railroad Representative.
- (iii) Participate in a job briefing that will specify the type of On-Track Safety for the type of work being performed. Contractor must take special note of limits of track authority, which tracks may or may not be fouled, and clearing the track. Contractor will also receive special instructions relating to the work zone around machines and minimum distances between machines while working or traveling.

IV. Equipment

- A. It is the responsibility of Contractor to ensure that all equipment is in a safe condition to operate. If, in the opinion of the Railroad Representative, any of Contractor's equipment is unsafe for use, Contractor shall remove such equipment from Railroad's property. In addition, Contractor must ensure that the operators of all equipment are properly trained and competent in the safe operation of the equipment. In addition, operators must be:
 - Familiar and comply with Railroad's rules on lockout/tagout of equipment.
 - Trained in and comply with the applicable operating rules if operating any hy-rail equipment on-track.
 - Trained in and comply with the applicable air brake rules if operating any equipment that moves rail cars or any other railbound equipment.
- B. All self-propelled equipment must be equipped with a first-aid kit, fire extinguisher, and audible back-up warning device.
- C. Unless otherwise authorized by the Railroad Representative, all equipment must be parked a minimum of twenty-five (25) feet from any track. Before leaving any equipment unattended, the operator must stop the engine and properly secure the equipment against movement.
- D. Cranes must be equipped with three orange cones that will be used to mark the working area of the crane and the minimum clearances to overhead powerlines.

V. General Safety Requirements

- A. Contractor shall ensure that all waste is properly disposed of in accordance with applicable federal and state regulations.
- B. Contractor shall ensure that all employees participate in and comply with a job briefing conducted by the Railroad Representative, if applicable. During this briefing, the Railroad Representative will specify safe work procedures, (including On-Track Safety) and the potential hazards of the job. If any employee has any questions or concerns about the work, the employee must voice them during the job briefing. Additional job briefings will be conducted during the work as conditions, work procedures, or personnel change.
- C. All track work performed by Contractor meets the minimum safety requirements established by the Federal Railroad Administration's Track Safety Standards 49CFR213.

- D. All employees comply with the following safety procedures when working around any railroad track:
- (i) Always be on the alert for moving equipment. Employees must always expect movement on any track, at any time, in either direction.
 - (ii) Do not step or walk on the top of the rail, frog, switches, guard rails, or other track components.
 - (iii) In passing around the ends of standing cars, engines, roadway machines or work equipment, leave at least 20 feet between yourself and the end of the equipment. Do not go between pieces of equipment if the opening is less than one car length (50 feet).
 - (iv) Avoid walking or standing on a track unless so authorized by the employee in charge.
 - (v) Before stepping over or crossing tracks, look in both directions first.
 - (vi) Do not sit on, lie under, or cross between cars except as required in the performance of your duties and only when track and equipment have been protected against movement.
- E. All employees must comply with all federal and state regulations concerning workplace safety.

EXHIBIT D
TO
CONTRACTORS RIGHT OF ENTRY AGREEMENT

If a print of the right of entry area to be used by Contractor is available, it should be marked **Exhibit D** and attached here as part of the Agreement.

- San Bernardino County Transportation Commission ■ San Bernardino County Transportation Authority
■ San Bernardino County Congestion Management Agency ■ Service Authority for Freeway Emergencies

Minute Action

AGENDA ITEM: 17

Date: July 11, 2007

Subject: Approve Contract No. 08-013 with LAN Engineering for Interstate 15/ Interstate 215 Devore Interchange Project Development Consultant Services

*Recommendation:** Approve Contract No. 08-013 with LAN Engineering for Interstate 15/ Interstate 215 Devore Interchange Project Development Consultant Services in an amount not to exceed \$7,074,884 as described in the financial impact section below. TN 88008000

Background: This is a new consultant services contract. In November 2006 the Board authorized the release of a Request for Qualifications 07-124 (RFQ) to Engineering/Environmental Consultants for project development activities for the I-15/I-215 Devore Interchange project. The scope of these activities includes a final Caltrans approved Project Study Report and Project Report to include preliminary engineering and environmental clearance for the realignment, expansion, and operational improvements of the I-15/I-215 Interchange in Devore. A major element of this effort is the addition of truck bypass lanes which will move slower moving trucks away from mixed flow lanes through the interchange. SANBAG received four Statements of Qualification (SOQ) in response to the RFQ. The teams that submitted SOQs included:

- Earthtech/Stantec
- David Evans & Associates/CH2MHill
- LAN Engineering/LSA
- RBF/Jones & Stokes

*

Approved
Board of Directors

Date: July 11, 2007

Moved: Second:

In Favor: Opposed: Abstained:

Witnessed:

Utilizing the SANBAG consultant selection process a committee consisting of one representative from the City of Hesperia, one representative from the County of San Bernardino, two representatives from Caltrans and two SANBAG staff reviewed and rated all four SOQs. Each Statement of Qualification (SOQ) was rated in five categories, firm qualifications, personnel qualifications, staffing capability, project understanding, and quality assurance/quality control (QA/QC) approach. All four firms/teams submitted SOQs that conveyed a strong knowledge and understanding of the project and substantial experience for the principal discipline lead staff. Due to the strength of all four SOQs the selection committee short-listed all four firms/teams.

Interviews were conducted on May 9, 2007 with a selection panel that consisted of the same representatives that reviewed the written SOQs. The Teams were rated based on answers to a series of questions that were developed following a thorough review of each firm's SOQ so that the selection panel would have a better awareness of each team's qualifications and project understanding that was specific to the I-15/I-215 Devore Interchange. Again all four firms/teams exhibited a variety of strengths in their presentation and responses during the question and answer period. In this selection process, there was greater disparity in the opinions of the selection panel, however the panel's consensus selection was the LAN Engineering/LSA team as the most qualified to perform the work and had the best project understanding. LAN's identified Project Manager, Norman Suydam, a former Caltrans Engineer and Geometrician, was the principal project manager for the Caltrans Devore 2 Project that included truck lane construction and pavement rehabilitation. LAN's environmental consultant, LSA, is considered one of the preeminent environmental firms in California and has concluded that due to impacts of this project being "mitigatable" that the probable environmental document will be an Initial Study/Environmental Assessment.

The selection panel recommends this contract to the Major Projects Committee and the Board of Directors. The contract cost negotiated with Parsons is consistent with the work included in the scope of work used for the RFQ and is include in the approved SANBAG 2007/2008 Annual Budget.

Financial Impact: This action is consistent with the 2007/08 Budget. The funding source for project development activities is Measure I Valley Major Project funds which will be repaid from Measure I 2010-2040 Cajon Pass Projects funds. TN 88008000 (I-15/I-215 Devore Interchange)

Board Agenda Item
July 11, 2007
Page 3

Reviewed By: This item was reviewed and recommended for approval 11-0-1 (Nuaimi abstained), by the Major Projects Committee on June 14, 2007. *(Meeting chaired by John Pomierski)*

Responsible Staff: Darren Kettle, Director of Freeway Construction

SANBAG Contract No. C08013

by and between

San Bernardino County Transportation Authority

and

LAN Engineering Corporation

for

Engineering and Environmental Services for I-15/I-215 Interchange Improvements Project

FOR ACCOUNTING PURPOSES ONLY

<input checked="" type="checkbox"/> Payable	Vendor Contract # _____	Retention: _____	<input type="checkbox"/> Original
<input type="checkbox"/> Receivable	Vendor ID _____	<input type="checkbox"/> Yes _____ % <input checked="" type="checkbox"/> No	<input type="checkbox"/> Amendment

Notes:

Original Contract: \$ <u>6,431,713</u>	Previous Amendments Total: \$ _____	
	Previous Amendments Contingency Total: \$ _____	
	Current Amendment: \$ _____	
Contingency Amount: \$ <u>643,171</u>	Current Amendment Contingency: \$ _____	
Contingency Amount requires specific authorization by Task Manager prior to release.		
Contract TOTAL →		\$ <u>7,074,884</u>

↓ Please include funding allocation for the original contract or the amendment.

Task	Cost Code	Funding Sources	Grant ID	Amounts
88008000	5553	Meas. I Valley M.P.	_____	\$ <u>1,500,000</u>
88009000	5553	Meas. I Valley M.P.	_____	\$ <u>2,500,000</u>
88010000	5553	Meas. I Valley M.P.	_____	\$ <u>2,500,000</u>
88011000	5553	Meas. I Valley M.P.	_____	\$ <u>574,884</u>

Original Board Approved Contract Date: <u>7/11/07</u>	Contract Start: <u>7/11/07</u>	Contract End: <u>1/11/11</u>
New Amend. Approval (Board) Date: _____	Amend. Start: _____	Amend. End: _____

If this is a multi-year contract/amendment, please allocate budget authority among approved budget authority and future fiscal year(s)-unbudgeted obligations:

Approved Budget Authority →	Fiscal Year: <u>07/08</u>	Future Fiscal Year(s) –	Unbudgeted Obligation →
	\$ <u>1,500,000</u>		\$ <u>5,574,884</u>

Is this consistent with the adopted budget? ☒ Yes ☐ No

If yes, which Task includes budget authority? 880

If no, has the budget amendment been submitted? ☐ Yes ☐ No

CONTRACT MANAGEMENT

Please mark an "X" next to all that apply:

☐ Intergovernmental ☒ Private ☐ Non-Local ☐ Local ☐ Partly Local

Disadvantaged Business Enterprise: ☐ No ☐ Yes _____ %

Task Manager: Darren Kettle	Contract Manager: Dennis Saylor
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<u>Darren Kettle</u> 6-7-07 Task Manager Signature Date	<u>Dennis Saylor</u> 6/7/07 Contract Manager Signature Date
<u>Dennis J. W. Saylor</u> 6/7/07 Chief Financial Officer Signature Date	

Filename: C08013

Contract C08-013 Attachment "A"

Scope of Services

By and between

**San Bernardino Associated Governments/
San Bernardino County Transportation Authority**

and

LAN Engineering Corporation

to

**Provide Engineering and Environmental Services
Including Preparation of
Project Study Report, Project Report and Environmental Document**

for

Interstate 15/Interstate 215 (I-15/I-215) Interchange Improvements Project

**Near Devore in
San Bernardino County, California**

Scope of Services

OVERVIEW

The San Bernardino Associated Governments (SANBAG), in cooperation with the California Department of Transportation (CALTRANS), will utilize the services of CONSULTANT to prepare a Project Study Report (PSR) and a Project Report/Environmental Document (PR/ED) for the I-15/I-215 Interchange Project in the unincorporated township of Devore in San Bernardino County.

Coordination of SANBAG, CALTRANS, and CONSULTANT will be accomplished through a SANBAG Contract Manager or his designee, a CONSULTANT Project Manager, and a CALTRANS Project Manager.

The SANBAG Contract Manager for this contract shall be:

Mr. Darren Kettle
Director of Freeway Construction

CONSULTANT shall be required to perform all professional and technical services necessary to prepare a Project Study Report (PSR) and a Project Report/Environmental Document (PR/ED). Additional on-call engineering and environmental support may also be required on an as-needed basis.

Project Location and Description

At this time, the specific project limits are unknown, but will be developed during the engineering/environmental efforts associated with the project. The project is in the unincorporated township of Devore in San Bernardino County.

The project proposes to improve the I-15/I-215 Interchange by reconfiguration and lane addition, with or without additional truck bypass lanes. This project is identified as the highest priority need in the short term in *I-15 Comprehensive Corridor Study* – a Major Investment Study (MIS) prepared for Southern California Association of Governments (SCAG), San Bernardino Associated Governments (SANBAG), and Caltrans District 8.

A complete reconstruction of the interchange is envisioned where the new design would allow the traffic on I-15 to pass through the interchange without changing lanes and without any lane drops. This reconstruction can proceed as a standalone project with its own independent utility and benefits regardless of the final Locally Preferred Strategy (LPS) selected for the I-15 corridor. Reconstruction with truck bypass lanes would further eliminate interaction of I-15 truck traffic from weaving automobile traffic merging and diverging to and from I-215.

APPLICABLE STANDARDS

The PSR and PR/ED shall be prepared in accordance with current CALTRANS and Federal Highway Administration (FHWA) regulations, policies, procedures, manuals, and standards. CONSULTANT's attention is directed to CALTRANS' *Project Development Procedures Manual, Appendices K and L – Preparation Guidelines for Project Report and Preparation Guidelines for Project Study Report* respectively.

General Guidelines and Services to be performed by Consultant

CONSULTANT will be responsible for the services outlined in this Scope of Services. CONSULTANT services shall conform to the standards, criteria, and requirements of this Scope of Services. In addition, CONSULTANT may be required to provide on-call engineering and environmental services as part of this project that shall also conform to the standards, criteria, and requirements of this Scope of Services. Services may include, but are not limited to:

- A. CONSULTANT shall prepare geometric drawings and advance planning studies, review and evaluate alternatives, define environmental and preliminary right of way requirements, perform preliminary drainage studies, and prepare preliminary schedules and cost estimates necessary to produce the PSR and PR/ED. The CONSULTANT may utilize the I-15 Comprehensive Corridor Study as the basis for the PSR and PR/ED.
- B. CONSULTANT shall carry out the directions as received **only** from SANBAG's Contract Manager or designee. In addition, CONSULTANT shall cooperate with CALTRANS, other agencies, and other consultants providing services for this project and for adjacent projects, as necessary.
- C. It is not the intent of the foregoing paragraph to relieve CONSULTANT of professional responsibility during the performance of this Scope of Services. In those instances where CONSULTANT believes a better solution to a problem is possible or consultant has a recommendation, CONSULTANT shall promptly notify SANBAG's Contract Manager of CONSULTANT'S opinions with supporting evidence thereof.
- D. CONSULTANT shall have sole responsibility for the accuracy and completeness of all deliverables and all supporting documents. CONSULTANT shall independently check all deliverables and supporting documents prior to any submittal. All deliverables may be reviewed by CALTRANS, SANBAG, and/or SANBAG's designee for conformity to the project.
- E. All deliverables and supporting materials furnished under this Scope of Services shall be of a quality acceptable to SANBAG, FHWA, and CALTRANS. The criteria for acceptance shall be a product of neat appearance, well organized, technically and grammatically correct and checked. The appearance, organization and content of all deliverables and supporting materials shall be to CALTRANS standards.

- F. All elements of the PSR and PR may be considered for Value Analysis studies. To this end the CONSULTANT is encouraged to submit to SANBAG an informal written statement or memorandum addressing those elements where it appears significant savings and other advantages may be realized. CONSULTANT shall support the Value Analysis through providing information as needed and providing support on an as needed basis.
- G. The CONSULTANT shall maintain a set of project files that are indexed in accordance with CALTRANS' Project Development Uniform File System.
- H. SANBAG reserves the right to approve all project scope of services changes. Any changes resulting from the addition, deletion, or revisions to the Scope of Services will not be made without prior written approval from SANBAG. The CONSULTANT will not be compensated for making any changes to the project Scope of Services other than those approved in writing by SANBAG.
- I. CONSULTANT shall not suspend performance of CONSULTANT services contract with SANBAG during the negotiations of any change orders except as they may be directed by SANBAG. CONSULTANT shall perform all changes in accordance with the terms and conditions of CONSULTANTS contract with SANBAG.
- J. At the completion of this Scope of Services all electronic files and original correspondence relating to the Project shall be turned over to SANBAG who will then forward said files to CALTRANS. This includes all deliverables, working data, field data, background information and all other related information.
- K. CONSULTANT shall employ quality control procedures that identify potential risks and uncertainties related to construction of the Project. Risks that may be encountered include, but are not limited to, impacts to adjacent properties, public safety, and environmental considerations. If at any time during the performance of this Scope of Services, CONSULTANT observes, encounters, or identifies any circumstance that could pose potential risk, CONSULTANT shall notify SANBAG.
- L. CONSULTANT shall coordinate with CALTRANS and all other agencies involved or potentially impacted by the Project. CONSULTANT shall inform SANBAG prior to all contacts, meetings, and correspondence with CALTRANS or any other agencies.
- M. All studies, reports and deliverables will employ US Customary units where applicable or necessary.

SERVICES PERFORMED BY CONSULTANT

Engineering Services Scope

The CONSULTANT shall provide engineering services both technical and administrative that are consistent with producing a Project Study Report (PSR) and a Project Report/Environmental Document (PR/ED). CONSULTANT will be responsible for identifying a purpose and need for the I-15/I-215 Interchange reconfiguration and lane additions, developing alternatives consistent with findings from previous studies and input from involved agencies, and recommending a locally preferred alternative that will be used during the process of environment compliance. Additionally, CONSULTANT will be required to provide on-call engineering and environmental services as needed.

It is not the intent of the following paragraphs to relieve CONSULTANT of professional responsibilities during the performance of this Scope of Services. In all instances where CONSULTANT believes this Scope of Services has not identified requirements that may be pertinent to producing acceptable alternatives to be cleared environmentally or producing a PSR and a PR/ED, CONSULTANT shall promptly notify SANBAG's Contract Manager of CONSULTANT'S opinions with evidence thereof.

CONSULTANT shall provide a project approach or management plan that will define the basic schedule and work tasks.

Project Study Report, Project Report, and General Activities

CONSULTANT shall follow a work process that ensures that the objectives of the local agencies involved and that of state and federal agencies are accommodated. Additionally, any and all legal and procedural requirements for state and federal agencies must be met. This process may include but not be limited to the following general activities and studies:

- Conducting traffic studies of existing conditions and forecasting for the project design year.
- Developing aerial photographs to be used through the course of the project.
- Conducting on-site reconnaissance of the existing project site.
- Surveying the project area as needed.
- Identifying any projects in the vicinity that may be affected and ensuring alternatives are consistent with these projects.
- Refining alternatives based on opportunities and constraints.
- Developing and obtaining approval of the Project Study Report (PSR)
- Developing and obtaining approval for Geometric Approval Drawings for proposed alternative.
- Preparing necessary design exception reports and/or Fact Sheets
- Developing evaluation methodology with input from affected stakeholders and agencies, and evaluating alternatives using these criteria.
- Participating in various public meetings, as required.
- Supporting any required or desired coordination meetings and activities.

- Developing and obtaining approval of a Modified Access Report before PSR approval.
- Preparing the Project Report in accordance with the Caltrans PDPM.

The Project Report may include but not be limited to the following chapter/sections and technical studies/reports.

- A summary section which may include information on project location and background, the current environmental setting, and agency coordination.
- A statement regarding the project purpose and need. This chapter/section may include information on current operational deficiencies, current and future traffic conditions and project objectives.
- Conceptual geometric drawings for proposed alternatives.
- A section describing the proposed alternatives and the ultimate preferred alternative, and how they were developed. This section may also include, information on proposed engineering features including nonstandard mandatory and advisory design features.
- A section analyzing project impacts, including but not limited to, right of way, utility impacts, railroad involvement, and traffic.
- A section on the system planning of the project. This section may include discussion on how the project incorporates planning from affected agencies.
- A section on any hazardous material/waste issues.
- A section describing possible traffic management issues that may need further consideration.
- A section describing the environmental constraints considered during alternatives development.
- A section describing permits that may be required for construction.
- A section discussing the current funding sources and estimated schedule.
- A section of recommendations.

Environmental Services Scope

The CONSULTANT shall provide both technical and administrative environmental services consistent with obtaining the necessary environmental approvals. Additionally CONSULTANT will be required to provide on-call environmental services as needed.

It is not the intent of the following paragraphs to relieve CONSULTANT of professional responsibilities during the performance of this Scope of Services. In all instances where CONSULTANT believes this Scope of Services has not identified requirements that may be pertinent to clearing the project environmentally, CONSULTANT shall promptly notify SANBAG's Contract Manager of CONSULTANT'S opinions with evidence thereof.

CONSULTANT shall provide a project approach or management plan that defines the basic schedule and work tasks.

Environmental Document and General Activities

CONSULTANT shall follow a work process that ensures the objectives of all stakeholders including local, state, and federal agencies are met. Additionally, any and all legal and procedural requirements for state and federal agencies must be met. This process may include but not be limited to the following general activities.

- Preparing an Environmental Assessment (EA)/ Initial Study (IS), if needed.
- Publishing applicable notices and/or sending notices to various agencies and other interested parties.
- Developing a detailed scope definition of the environmental document.
- Preparing and circulating the Draft environmental document.
- Publishing various notices and filings of the Draft environmental document.
- Participating in various public meetings, as required.
- Responding to comments on the Draft environmental document.
- Finalizing the environmental document.
- Publishing of various notices and filings of the environmental document.
- Providing support through final agency decision and project certification.
- Providing support for any required or desired coordination meetings and activities.

The environmental document will include various chapters, sections, studies and appendices according to Caltrans Environmental references and handbooks. Information included for the document may be gathered from many sources as well as studies and analyses that CONSULTANT may perform. The following is a listing of the content that may be included in the document. CONSULTANT should be aware, however, that the environmental document may require additional information to what is presented in the following.

- Summary section which may include information on project location and background, the current environmental setting, agency coordination, project alternatives and discarded alternatives, project purpose and a summary of impacts.
- Statement regarding the project purpose and need. This chapter/section may include information on current operational deficiencies, current and future traffic conditions and project objectives.
- A section on the locally preferred alternative and how it was selected.
- A chapter on the affected environment which may include information on aesthetics, geology, soils analysis, hydrology, flood plains, wetlands, cultural resources, air quality, noise, land use, parks, hazardous waste, traffic circulation and socioeconomic aspects. Additionally, the environmental consequences (effects) and mitigation measures of the foregoing should be addressed. CONSULTANT may also be required to address unavoidable adverse environmental impacts, the

relationship and cumulative impacts versus long term productivity of the environment, growth inducement and cumulative impacts thereof.

- A section dealing with CEQA *findings of significant effects* may be required. CONSULTANT must also be aware of any and all other CEQA specific requirements.
- The environmental document may also include information on agency/organization and public consultation, persons that were involved with the environmental document preparation, technical appendices and otherwise, a list of required permits, a bibliography and index.
- Existing Land Use Inventory
- Possible existing biological surveys/inventories
- Inventory of section 4 (f) properties
- Existing housing surveys
- Public services surveys

Technical Studies

CONSULTANT may be required to perform technical studies and/or review data including but not limited to the following.

- Air quality
- Hazardous waste including asbestos and ADL
- Noise
- Biological resources
- Cultural resources
- Water quality
- Visual impact study including preparation of exhibits and participation in public meetings
- Potential effects of the project on endangered species may also need to be examined
- CONSULTANT may be required to prepare an environmental checklist, which may include analysis to impacts to physical, biological and social/economic effects. CONSULTANT shall provide written narrative to support the checklist.
- As-built plans of existing infrastructure
- Geologic and seismic data for the project area
- Hydrology and drainage information

Submittal of Studies, Reports and other deliverables

1. All deliverables shall be prepared in accordance with CALTRANS and FHWA requirements. CONSULTANT shall submit all deliverables to SANBAG, FHWA, and CALTRANS for review.
2. CONSULTANT shall respond to all comments received from SANBAG, FHWA and CALTRANS and resubmit deliverables as directed.

3. CONSULTANT shall support any and all studies, analyses and requirements needed to successfully complete the environmental requirements of the project.

FURNISHED MATERIALS

SANBAG will provide CONSULTANT with a copy of the *I-15 Comprehensive Corridor Study*, Final Report dated December 20, 2005.

ADMINISTRATION

SANBAG Project Management and Administration

- A. As part of their management activities SANBAG shall:
 1. Conduct ongoing reviews of CONSULTANT's progress in performing the work and furnish technical comments in a timely manner.
 2. Review certain types of correspondence such as, work requests to subconsultants, initial contact letters, sensitive correspondence, and other letters as necessary.
 3. Coordinate the distribution of public information.
 4. Review CONSULTANT's Quality Control Plan and CONSULTANT's conformance to its Quality Control Plan.
 5. Provide a focal-point contact for all questions, requests, and submittals.
 6. Review the Project Control documents (including subconsultants) submitted by CONSULTANT to ensure their understanding of the level of information required, reporting procedures, report cycle, and the intended use of each.
 7. Review CONSULTANT's detailed Critical Path Method (CPM) Logic Network Schedule; note any additions, deletions, or other changes; and return it to CONSULTANT with comments for revision.
 8. Receive and review monthly progress reports from CONSULTANT.
 9. Review with CONSULTANT, requests for change orders and/or extensions of time when such requests are determined to be necessary.
 10. Have final review and approval over all contractual payments and changes.

CONSULTANT Project Management and Administration

- A. CONSULTANT management activities include, but are not limited to:
1. Establishing, furnishing, and maintaining suitable office facilities to serve as the Contract office for the duration of the Contract in the location specified in CONSULTANT's proposal.
 2. Maintaining an adequate staff of qualified support personnel to perform the work necessary to complete the Project.
 3. Establishing internal accounting methods and procedures acceptable to SANBAG for documenting and monitoring Contract costs.
 4. Providing cost-to-date, schedule, progress, staffing, and related data to SANBAG as a part of the regular monthly progress and payment process.
- B. CONSULTANT's work shall be performed and/or directed by those key personnel identified in their proposal. Any changes in the indicated key personnel shall be subject to prior review and approval by SANBAG in writing. Any change in CONSULTANT's officer-in-charge of the Services, as described in the General Terms and Conditions of this Contract, shall be subject to prior review and approval by SANBAG.
- C. Due to the nature and scope of the required services, it may be desirable for the CONSULTANT to subcontract portions of the Services. Adding Subconsultants to the original proposal team must be approved in writing by SANBAG prior to initiation of any Services. The volume of Services performed by the subcontractors shall not exceed 49 percent of the total Contract value. Due to the nature and proportional amounts of engineering and environmental work, there could be instances whereby a subconsultant's portion of the project is greater than 49%. In the event this occurs, CONSULTANT shall bring it to SANBAG's attention immediately. SANBAG's Contract Manager will have the authority to grant exception. Throughout this effort CONSULTANT shall be the single source of contact and management of all subcontractors. Subcontractor management will include the coordination time required for all aspects of the project including design, processing, and accounting.
- D. CONSULTANT shall provide to SANBAG copies of all written correspondence between CONSULTANT and any party pertaining specifically to the Project. Copies shall be furnished within five calendar days of receipt of said correspondence from any party, or five calendar days prior to mailing of correspondence to any party for review. CONSULTANT is also responsible for recording and distributing the minutes of all meetings pertaining to the Project at which CONSULTANT is present.
- E. CONSULTANT shall give written notice to SANBAG within seven (7) working days after CONSULTANT knows or should know of any cause or condition which might, under reasonable foreseeable circumstances, result in delay for which CONSULTANT may request an extension of time to complete Services.

Project Controls

- A. As part of the Project Controls effort CONSULTANT shall, at the introductory meeting, present SANBAG with samples of their proposed project control documents for SANBAG's review. These documents shall include, but are not limited to:
1. Bar Chart(s) Schedules
 2. Progress Curve(s)
 3. Sample Amendment Format
 4. Sample Narrative Format(s)
 5. Sample Estimate Format(s)
 6. Earned Value Cost Report
- B. CONSULTANT's Project Control System shall be able to:
1. Determine the critical path for the Services in Contract.
 2. Forecast dates for intermediate milestones and project completion.
 3. Provide a clear format to incorporate progress data on each activity.
 4. Provide reports showing actual progress compared to scheduled (planned) progress, and actual cost of services performed compared to (1) budgeted costs for services performed and (2) budgeted cost for services scheduled.
 5. Forecast possible delays and/or resource shortages.
 6. Provide a basis for preplanning, including resource usage to recover from delays, allow schedule improvement, or accommodate other changes in the work.
 7. Provide projected manpower requirements and dollar costs based on current performance.
 8. Provide current project cost estimate information.
 9. Provide all the estimates necessary to assist in confirming the construction budget.
- C. Within 15 working days (or as requested by SANBAG) of assignment of services the CONSULTANT shall submit to SANBAG for their review, a Bar Chart Schedule showing the Critical Path and identifying all project development activities and

milestones. SANBAG will review these documents and return them to CONSULTANT with notes and comments as soon as possible in order to validate the planning and cost control procedures within the first calendar month of performance period.

- D. As the Contract work progresses, CONSULTANT may discover the need to change the schedule to improve productivity or accommodate new or changed conditions. Any proposed change to the schedule shall be presented to SANBAG for review and validation prior to incorporation in the schedule.
- E. CONSULTANT shall report in a timely manner, through correspondence or progress reports, whenever it appears that approved schedules will not be met whether or not the reasons are within the CONSULTANT's control. In the event the Scope and Schedule of the Services is modified, and the modified Schedule is approved by SANBAG, CONSULTANT shall submit a revised Milestone Schedule. CONSULTANT shall perform the Services in accordance with the latest approved revision Milestone Schedule.

Monthly Progress Reports

- A. On a monthly basis, CONSULTANT shall prepare and submit to SANBAG a monthly status report that indicates the work progress achieved during the period. The report shall summarize the actual work progress compared with estimated progress and will identify problem areas, provide evaluations, recommendations and an outline on the process which CONSULTANT, and SANBAG will follow to rectify the problem(s). The progress report shall be submitted with the monthly invoice. As a minimum, the monthly report should address the following specific areas:
 - 1. Time related project status via a bar chart schedule
 - 2. Physical progress
 - 3. Amendment summary history
 - 4. Narrative status report
 - 5. Earned Value Report
 - 6. Graphical comparisons for actual progress vs. earned and planned progress for: physical (%complete), performance (hours complete) and cash flow.
- B. CONSULTANT shall have the ability to monitor and update its Detailed Project Control Schedule during the execution of the work and shall submit at each Progress Meeting, an updated four-week, horizon schedule to be used in monitoring the progress of the work.
- C. A Progress Meeting between CONSULTANT, CALTRANS, and SANBAG shall be held, at minimum, on monthly basis to discuss the design progress, potential

problems, plans for the next period, and other progress issues. SANBAG and CALTRANS will establish with CONSULTANT the dates and times of these meetings. Three calendar days prior to each progress meeting, CONSULTANT shall provide SANBAG with a typewritten agenda for the meeting. CONSULTANT shall prepare typewritten meeting minutes and submit them to SANBAG and CALTRANS within seven calendar days after the meeting. The minutes shall indicate issues discussed and the resolution or action required to resolve any issues.

- D. Project Coordination Meetings may be called by SANBAG, CALTRANS or the CONSULTANT at any time that any party requires discussion of Project issues. CONSULTANT shall prepare minutes of the meeting and submit them to SANBAG and CALTRANS.

Quality Assurance

- A. CONSULTANT has total responsibility for the accuracy and completeness of all deliverables and any other work assigned to CONSULTANT. All services and deliverables furnished under this Scope of Services shall meet that responsibility through the implementation of a Quality Assurance Plan. CONSULTANT's Quality Assurance Plan shall be in effect throughout the entire Contract and, at minimum, shall establish the process necessary to ensure the following:
1. All deliverables and services shall be provided in a professional manner and meets the standards set forth herein.
 2. CONSULTANT shall maintain a set of project files that are indexed in accordance with CALTRANS' Project Development Uniform File System.
- B. CONSULTANT shall submit to SANBAG within 30 calendar days after receipt of Notice to Proceed two copies of their Quality Assurance Plan. SANBAG will review the plan established by CONSULTANT to determine if quality assurance procedures are adequate and appropriate to the complexity of the project requirements. Review comments will be returned to CONSULTANT within 14 calendar days. If appropriate, the revised plan, which incorporates the comments of SANBAG, should be resubmitted within seven calendar days of receipt of comments.
- C. Evidence that the Quality Assurance Plan is functioning will be periodically confirmed by SANBAG. Deliverables that do not conform to the approved plan will be returned to CONSULTANT without review by SANBAG.

Reproduction Services

CONSULTANT shall provide the reproduction services required for the projects inclusive of the number of individual sets to be delivered for the submittal tasks outlined in this Scope of Services.

Submittal and Reviews

- A. Reports prepared by CONSULTANT shall be submitted in draft form, and opportunity provided for SANBAG and CALTRANS to review and direct revisions prior to formal submittal. If so requested by SANBAG and CALTRANS, CONSULTANT shall make other submittals in draft form to provide opportunity for review and revisions.
- B. If CONSULTANT fails to submit the required deliverable items set forth in this Scope of Services, SANBAG shall have the right to withhold payment and/or terminate CONSULTANTS contract in accordance with the provisions entitled "Termination" included in this Contract.

Contract C08013 Attachment B

Lim And Nascimento Engineering Corporation



ATTN: Norman Suydam, PE, SE
Lim & Nascimento Eng. Corp.
1887 Business Ctr Dr., #6
San Bernardino, CA 92408

Contract No.: C 08-013
Task Order No.
Task Order Period of Performance: 8/1/2007 to 12/31/2010
Task Order Amt.:
LAN Consultant Project/Job/Reference No.: SNBG0703

Prime Consultant Costs:

Direct Labor Costs:

Employee Name	Classification	Regular / OT	Fee OH Rate	WBS	10% 125%		Hours	Labor Cost
					Billing Rate			
TBD	Project Manager	Regular		Varies	\$ 200.00		4,080	\$816,000.00
TBD	Sr. Project Engineer/Sr. Bridge Engineer	Regular		Varies	\$ 180.00		1,205	\$192,800.00
TBD	Project Engineer/Bridge Engineer	Regular		Varies	\$ 145.00		2,550	\$369,750.00
TBD	Associate Engineer	Regular		Varies	\$ 125.00		4,715	\$589,375.00
TBD	Senior Design Engineer	Regular		Varies	\$ 105.00		650	\$68,250.00
TBD	Design Engineer	Regular		Varies	\$ 80.00		5,370	\$429,600.00
TBD	Assistant Engineer	Regular		Varies	\$ 60.00		1,205	\$72,300.00
					\$ -		0	\$0.00
TBD	Sr. CADD	Regular		Varies	\$ 75.00		650	\$48,750.00
TBD	CADD	Regular		Varies	\$ 45.00		1,280	\$57,600.00
TBD	QA/QC	Regular		Varies	\$ 170.00		1,025	\$174,250.00
TBD	Administrator	Regular		Varies	\$ 55.00		1,002	\$55,110.00
					LS			\$167,600.00
Labor Escalation Costs								
Total Prime Consultant Direct Labor Cost:								23,732 \$3,041,385.00

Other Direct Costs:

In House /	Description			WBS			ODC
Travel / P				Varies	LS		\$4,000.00
Reproducti				Varies	LS		\$15,000.00
Mail / Ship				Varies	LS		\$1,200.00
Rights of a	ROE for survey work outside CT R/W			Varies	LS		\$10,000.00
VA Study				Varies	LS		\$42,000.00
				Varies	LS		
				Varies	LS		
Total Prime Consultant Other Direct Cost:							\$72,200.00

Total Prime Consultant Cost: **\$3,113,585.00**

Sub-Consultant Costs:

(Attach Detail Sub-Consultant Cost Proposal in the same format as the Prime)

Name of Sub-Consultant	DSE/DVBE/SBE	Reference/Description	WBS	Fee	OH Rate	Hours	Labor + ODC
Associated Engineers		Survey work	Varies	10%	128%	5079	\$779,704.61
Arellano & Associates		PIO	Varies	10%	60%	1062	\$166,317.60
LSA		Environmental	Varies	10%	155%	12254	\$1,398,572.40
MMA		Traffic forecasting	Varies	10%	155%	5855	\$692,137.15
Earth Tech		Geo-Tech	Varies	10%	165%	1859	\$281,396.60
Total Sub Consultant Costs:							26109 \$3,318,128.36

Grand Total (Prime + Subs): **49,841 \$6,431,713.36**

- San Bernardino County Transportation Commission ■ San Bernardino County Transportation Authority
■ San Bernardino County Congestion Management Agency ■ Service Authority for Freeway Emergencies

Minute Action

AGENDA ITEM: 18

Date: July 11, 2007

Subject: Candidate Railroad Grade Separation Projects for Project Development Funding

Recommendation:* Information on San Bernardino Valley railroad grade separation projects that will undergo evaluation for project development funding.

Background: On April 4, 2007, the SANBAG Board approved a loan of Measure I Valley Major Projects Funds to fund project development for up to five railroad grade separation projects to be repaid from Measure I 2010-2040 Valley Arterial Funds. The approval of project development funding enables the development of shelf-ready grade separation projects to take advantage of the funding that is expected to become available from the Trade Corridor Investment Fund (TCIF) and the Highway-Railroad Crossing Safety Account of Proposition 1B. A methodology for the identification and evaluation of candidate grade separation projects was approved by the SANBAG Board on May 2, 2007, and staff was directed to develop a recommended list of up to five grade separation projects to which project development funding would be allocated once the evaluation was completed. The Board directed staff to elicit the assistance of the Comprehensive Transportation Plan Technical Advisory Committee (CTP TAC) in developing the project evaluation methodology and performing the project evaluation on the candidate grade separations.

Subsequent to the direction provided on May 2, staff distributed a memo to each Valley jurisdiction requesting the submittal of grade separation projects as candidates for evaluation. The list of submittals has been compiled and includes

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Approved
Board of Directors

Date:

Moved: *Second:*

In Favor: *Opposed: 0* *Abstained: 0*

Witnessed: _____

the following, organized by jurisdiction (the fair share percentages in parentheses represent the percentage of project development costs for each project that will need to be contributed from development impact fee programs by the local jurisdiction, per the requirements identified in the SANBAG Development Mitigation Nexus Study):

- City of Colton
 - Valley Blvd. at the BNSF/UP San Bernardino Line (fair share = 18%)
- City of Grand Terrace
 - Main Street at the BNSF/UP San Bernardino Line (fair share = 18%)
- City of Montclair
 - Central Ave. (existing crossing) – widen from 4 to 6 lanes (fair share = 8.6%)
- City of Ontario
 - South Milliken Ave. at the UP Los Angeles Line (fair share = 18%)
 - Vineyard Ave. at the UP Alhambra Line (fair share = 18%)
 - South Archibald Ave. at the UP Los Angeles Line (fair share = 18%)
 - Campus Ave. at the UP Alhambra and Los Angeles Lines (fair share = 18%)
- City of Rialto
 - Cedar Ave. at Metrolink line (Project not in Nexus Study. No fair share defined)
 - Riverside Ave. at Metrolink line (Project not in Nexus Study. No fair share defined)
- San Bernardino City and County
 - Palm Ave. at BNSF/UP Cajon Line (fair share = 14.4%)
- San Bernardino County
 - Glen Helen Parkway at BNSF/UP Cajon Line (fair share = 14.9%)

SANBAG staff is also proposing to evaluate two grade separations in the Mountain/Desert area that will not be eligible for Valley Measure I funds, but that could be candidates for TCIF funding. These are:

- Lenwood Road at the BNSF Cajon Line (Barstow and County)
- Vista Road at BNSF/UP Cajon Line (Helendale)

The results for the Mountain/Desert projects will be provided separately from the results for the Valley grade separations.

On June 11 the CTP TAC reviewed a recommended set of criteria and point scoring system to be used in the evaluation of grade separation projects. The

recommended set of criteria received unanimous support from the committee. The only comment on the project evaluation criteria was provided subsequent to the CTP TAC meeting by the City of Colton. The City suggested the inclusion of two additional criteria: 1) critical access to hospitals and other emergency facilities, and 2) alternate to major freeway (as a reliever to freeway congestion). Staff believes the emergency access criterion has merit as a possible discriminator among projects, but that essentially all the candidate grade separations can serve as alternates to a freeway. Thus, "critical access to hospitals and other emergency facilities" was added as a criterion. To make room for this criterion, the "level of complexity of the environmental process" was subsumed into the criterion "anticipated construction timeline," given that the two are inter-dependent. The evaluation system is based on a total of 100 points, with a maximum number of points defined for each criterion. Reduction in existing and future traffic delays was viewed to be the most important basis for evaluation, as can be seen from the assignment of 60 out of 100 points for the delay-based criteria. The importance placed on delay reduction is consistent with the philosophy behind the evaluation that occurred in the original Alameda Corridor East evaluation in 2001. Two criteria are proposed for application separate from the point-based criteria: "local jurisdiction commitment to fund the development fair share" (project is disqualified if fair share cannot be provided) and "geographic balance" (which could be applied at the end of the process, if necessary). The specific criteria and point assignments include:

1. Point-based criteria (up to 100 points)
 - a. Existing traffic delay reduction – up to 30 points (hours of delay reduced) – highest scoring project receives 30 points, rest is proportional
 - b. Future traffic delay reduction – up to 30 points (hours of delay reduced) – same scoring as above
 - c. Potential reduction in accidents – up to 10 points (number of accidents over last 10 years) – up to 5 points for total accidents and 5 points for fatal+injury only, highest scoring project in each category receives full 5 points, rest is proportional
 - d. Potential noise reduction – up to 5 points (number of dwelling units within ¼ mile radius of crossing multiplied by no. trains per day) – highest scoring project receives all 5 points, rest is proportional
 - e. Potential emission reduction – up to 5 points (annual tons of pollutants reduced through elimination of idling) – highest scoring project receives all 5 points, rest is proportional
 - f. Availability of alternate project development funding – up to 10 points (over-matching beyond fair share receives points) – two points per 10% of non-local funding committed to for project development

- g. Anticipated construction timeline – up to 5 points (earliest construction could begin, based on environmental complexities, ROW requirements, etc.) – qualitative evaluation, with earlier construction receiving the most points
 - h. Critical access to hospitals and other emergency facilities – up to 5 points (qualitative evaluation) – direct emergency access route from freeway receives 5 points, indirect route receives 3 points, no emergency facilities served by route receives zero points
2. Other criteria
- a. Local jurisdiction commitment to fund fair share (funding agreement will contain language that fair share contribution will be provided as project development billing for Measure I dollars occurs – inability to provide fair share disqualifies project)
 - b. Geographic balance (to be applied once evaluation results are available)

Financial Impact: This item has no significant impact on the SANBAG budget.

Reviewed By: This item was reviewed by the Plans and Programs Committee on June 20, 2007.
(Meeting chaired by Mayor Eaton)

Responsible Staff: Steve Smith, Principal Transportation Analyst
Ty Schuiling, Director of Planning and Programming

- San Bernardino County Transportation Commission ■ San Bernardino County Transportation Authority
- San Bernardino County Congestion Management Agency ■ Service Authority for Freeway Emergencies

Minute Action

AGENDA ITEM: 19

Date: July 11, 2007

Subject: Live Oak Canyon/Interstate 10 Interchange Final Design and Construction Support Contracts with URS Corporation

Recommendation:*

1. Approve Amendment No. 7 to contract no. 01-061 with URS Corporation for final design services for the Live Oak Canyon/Interstate 10 Interchange in the amount of \$49,992 as described below in the Financial Impact Section, and
2. Approve Contract No. 08-012 with URS Corporation to provide construction engineering support for the Live Oak Canyon Interstate 10 Interchange in the amount of \$100,490 as described below in the Financial Impact Section.

TN 84308000

Background: As part of the Traffic Congestion Relief Program (TCRP) established by Assembly Bill 2928 of 2000, SANBAG was the designated recipient of \$11 million for the Live Oak Canyon/Interstate 10 Freeway Interchange in the city of Yucaipa. Elements of this project have been completed including the construction of the 14th Street Bridge over Wilson Creek and a substantial amount of the required environmental clearances and the Plans, Specifications, and Estimates (PSE) package for the interchange reconstruction.

In 2002, not long after California voters overwhelmingly approved Proposition 42 dedicating the sales tax on gasoline to transportation, then Governor Davis and the State Legislature chose to suspend the flow of these funds to transportation

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Approved
Board of Directors

Date: July 11, 2007

Moved: Second:

In Favor: Opposed: Abstained:

Witnessed: _____

projects including the Live Oak Canyon interchange project. This project which was 95% designed and awaiting final environmental clearances was placed on the shelf because the remaining \$8.7 million of TCRP funds that would be used to partially fund the construction phase of the project was not available in the foreseeable future. With the announcement from Governor Schwarzenegger that Proposition 42 funds would not be suspended in Fiscal Year 2005/06 the Live Oak Canyon/I-10 project and other TCRP projects were once again restarted.

Over the past several years, due to the unpredictability of the TCRP program, this contract has been amended several times to extend the term of the contract. Amendment No. 4 to contract 01-061 approved by the Board in December 2005, was necessary to address significant design standard changes instituted by Caltrans. This amendment, Amendment No. 7, funds the redesign of the landscape component of the interchange design requested by the City of Yucaipa and is fully funded by the City through Cooperative agreement 06-036. This amendment will also extend the term of this contract to December 31, 2007.

The second action requested is approval of contract no. 08-012 with URS Corporation for construction engineering support for this project. Once a project moves to the construction stage it is necessary to make the design consultant who prepared the plans available for consultation and corrections during the construction process. Frequently the contractors and construction field staff require from the designer of record either additional information, authorization for changes, or corrections in order to proceed with construction.

No precise scope of work for this type of contract can be specified since it depends entirely on how things go in the field. This is a task order contract in the amount of \$100,490 that should adequately cover construction engineering for a project of this size and 2½ year construction period and is comparable to construction engineering services contracts for other SANBAG freeway construction projects.

Financial Impact: These actions are consistent with the 2007/08 Budget. TN 84308000

Reviewed By: This item was reviewed and unanimously recommended for approval by the Major Projects Committee on June 14, 2007. (*Meeting chaired by John Pomierski*)

Responsible Staff: Darren Kettle, Director of Freeway Construction

SANBAG Contract No. 01-061-07

by and between

The San Bernardino count Transportation Authority

and

URS Corporation

for

Landscape Design Services for Live Oak / I-10 Interchange Project

FOR ACCOUNTING PURPOSES ONLY

<input checked="" type="checkbox"/> Payable	Vendor Contract # <u>01-061</u>	Retention:	<input type="checkbox"/> Original
<input type="checkbox"/> Receivable	Vendor ID _____	<input type="checkbox"/> Yes _____ % <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Amendment

Notes:

Original Contract:	<u>\$ 951,083.00</u>	Previous Amendments Total:	<u>\$ 713,706.00</u>
Contingency Amount:	<u>\$ 122,157.00</u>	Previous Amendments Contingency Total:	<u>\$ 0</u>
		Current Amendment:	<u>\$ 49,992.00</u>
		Current Amendment Contingency:	<u>\$ 0</u>

Contingency Amount requires specific authorization by Task Manager prior to release.

Contract TOTAL → \$ 1,836,938.00

↓ Please include funding allocation for the original contract or the amendment.

<u>Task</u>	<u>Cost Code</u>	<u>Funding Sources</u>	<u>Grant ID</u>	<u>Amounts</u>
<u>8430800</u>	<u>5553</u>	<u>City of Yucaipa</u>	_____	<u>\$ 49,992</u>
_____	_____	_____	_____	<u>\$ _____</u>
_____	_____	_____	_____	<u>\$ _____</u>
_____	_____	_____	_____	<u>\$ _____</u>

Original Board Approved Contract Date: <u>5/01</u>	Contract Start: <u>5/01</u>	Contract End: <u>6/30/05</u>
New Amend. Approval (Board) Date: <u>7/11/07</u>	Amend. Start: <u>7/11/07</u>	Amend. End: <u>12/31/07</u>

If this is a multi-year contract/amendment, please allocate budget authority among approved budget authority and future fiscal year(s)-unbudgeted obligations:

Approved Budget Authority →	Fiscal Year: <u>08</u> <u>\$ 49,992.00</u>	Future Fiscal Year(s) – Unbudgeted Obligation →	<u>\$ 0</u>
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Is this consistent with the adopted budget? ☒ Yes ☐ No

If yes, which Task includes budget authority? 0843

If no, has the budget amendment been submitted? ☐ Yes ☐ No

CONTRACT MANAGEMENT

Please mark an "X" next to all that apply:

☐ Intergovernmental ☒ Private ☐ Non-Local ☐ Local ☐ Partly Local

Disadvantaged Business Enterprise: ☒ No ☐ Yes _____ %

Task Manager: Darren Kettle	Contract Manager: Chuck Wisdom
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 6-27-07
Task Manager Signature Date

 6/26/07
Chief Financial Officer Signature Date

Contract Manager Signature Date



May 30, 2007

Chuck Wisdom
SANBAG
1170 W 3rd Street, 2nd Floor
San Bernardino, CA 92410

Re: **I-10/Live Oak Canyon Road Interchange Reconstruction Project – Scope of Services required to modify PS&E and secure State Approval**

Dear Mr. Wisdom:

URS and our landscape architect, Tatsumi and Partners, are pleased to provide a proposal to prepare supplemental PS&E for planting and irrigation for the subject project. At SANBAG's direction, the original plan has been removed from the PS&E and will be replaced by a new planting and hardscape scheme.

Description

The proposed services consist of preliminary and final design and preparation of stand-alone planting and irrigation plans, specifications, and estimate. Attachment B defines the limits of planting and irrigation design. It is understood that SANBAG will advertise, award and administer the construction contract or issue a contract change order to a contractor currently providing services to SANBAG.

Fee for Services

An estimate for the additional services is included as Attachment A.

If you have any questions regarding this matter, please contact me at (714) 648-2749.

Sincerely,

URS Corporation

A handwritten signature in black ink, appearing to read "Shannon Willits".

Shannon Willits, PE
Senior Project Manager

URS Corporation
2020 East First Street, Suite 400
Santa Ana, CA 92705
Tel: 714.835.6886
Fax: 714.667.7147
www.urscorp.com

URS ADDITIONAL DESIGN SERVICES

5/30/2007

**I-10/LIVE OAK INTERCHANGE
RECONSTRUCTION****DIRECT LABOR**

<u>CLASSIFICATION</u>	<u>HOURS</u>	<u>AVERAGE RATE</u>	<u>TOTAL</u>
PRINCIPAL TRAFFIC ENGINEER	0	\$75.00	\$0
PROJ MGR / SR PROJ ENGR	8	\$59.00	\$472
SR TRAFFIC ENGINEER	16	\$52.00	\$832
PROJECT ENGINEER	0	\$38.00	\$0
TRAFFIC ENGINEER	16	\$32.00	\$512
DESIGN ENGINEER / CADD TECH	16	\$26.00	\$416
ADMINISTRATIVE ASSISTANT	2	\$24.00	\$48
TOTAL HOURS	58		

SUBTOTAL DIRECT LABOR COSTS	\$2,280
SALARY ESCALATION	0.00% \$0
TOTAL DIRECT LABOR COSTS	\$2,280

INDIRECT COSTS (Combined O/H + G&A)	<u>RATE</u>	<u>TOTAL</u>
	150.00%	\$3,420

TOTAL INDIRECT COSTS	\$3,420
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FEE	<u>RATE</u>	
	10.00%	\$570

OTHER COSTS

TRAVEL/REPRO/MAIL	\$ 100
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SUBTOTAL	\$100.00
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SUBCONTRACTOR

Tatsumi & Partners	<u>HOURS</u>	\$43,622
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SUBTOTAL	\$43,622
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TOTAL COST	\$49,992
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CONTINGENCY	\$0
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TOTAL COSTS:	\$49,992
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I-10/LIVE OAK INTERCHANGE RECONSTRUCTION		HOURS BY CLASSIFICATION										COSTS	
		Principal	IPM/SCOPE	Proj. Engr.	Assoc. Engr.	Jr. Engr.	CADD	Admin.	TOTAL	Raw Labor	OH & Fee (450% @ 10%)	TOTAL	
Additional Services		Unit											
1	Provide base files / Coordination	1			16		16		48	\$ 1,760	\$ 3,080	\$ 4,840	
2	Management & Administration	1						2	10	\$ 520	\$ 910	\$ 1,430	
										\$ -	\$ -	\$ -	
	Subtotal		0	8	16	0	16	2	56	\$ 2,280	\$ 3,932	\$ 6,212	
TOTALS			0	8	16	0	16	2	56				

I-10/Live Oak Canyon Road Fee Proposal												
TASK	STAFF / RATE / HOURS								HOURS TOTAL	FEE TOTAL		
	Sr. Principal		Sr. Assoc.		Assoc.		Tech. Staff				Staff	
	Hours	\$238.00	Hours	\$144.00	Hours	\$120.00	Hours	\$79.00			Hours	\$65.00
Task 1 - Project Management/Meetings												
Project Management		\$0.00		\$0.00	6	\$720.00		\$0.00		\$0.00	6	
Task 2 - 35% Planting & Irrigation Plans												
Irrigation Plan		\$0.00		\$0.00	2	\$240.00	42	\$3,318.00		\$0.00	44	
Irrigation Details, Notes, Legends		\$0.00		\$0.00	3	\$360.00	6	\$474.00		\$0.00	9	
Irrigation Specifications		\$0.00		\$0.00	2	\$240.00		\$0.00		\$0.00	2	
Planting Plan		\$0.00		\$0.00	2	\$240.00	84	\$6,636.00		\$0.00	86	
Planting Details, Notes, Legends		\$0.00		\$0.00	1	\$120.00	6	\$474.00		\$0.00	7	
Planting Specifications		\$0.00		\$0.00	1	\$120.00		\$0.00		\$0.00	1	
Cost Estimate		\$0.00		\$0.00	1	\$120.00	9	\$711.00		\$0.00	10	
Meetings		\$0.00		\$0.00	2	\$240.00		\$0.00		\$0.00	2	
Task 2 - 65% Planting & Irrigation Plans												
Irrigation Plan		\$0.00		\$0.00	4	\$480.00	125	\$9,954.00		\$0.00	130	
Irrigation Details, Notes, Legends		\$0.00		\$0.00	3	\$360.00	18	\$1,422.00		\$0.00	21	
Irrigation Specifications		\$0.00		\$0.00	4	\$480.00		\$0.00		\$0.00	4	
Planting Plan		\$0.00		\$0.00	4	\$480.00	28	\$2,212.00		\$0.00	32	
Planting Details, Notes, Legends		\$0.00		\$0.00	3	\$360.00	18	\$1,422.00		\$0.00	21	
Planting Specifications		\$0.00		\$0.00	4	\$480.00		\$0.00		\$0.00	4	
Cost Estimate		\$0.00		\$0.00	2	\$240.00	28	\$2,212.00		\$0.00	30	
Meetings		\$0.00		\$0.00	6	\$720.00		\$0.00		\$0.00	6	
Task 2 - 85% Planting & Irrigation Plans												
Irrigation Plan		\$0.00		\$0.00	1	\$120.00	33	\$2,607.00		\$0.00	34	
Irrigation Details, Notes, Legends		\$0.00		\$0.00	1	\$120.00	3	\$237.00		\$0.00	4	
Irrigation Specifications		\$0.00		\$0.00		\$0.00		\$0.00		\$0.00	0	
Planting Plan		\$0.00		\$0.00		\$0.00	18	\$1,422.00		\$0.00	18	
Planting Details, Notes, Legends		\$0.00		\$0.00	1	\$120.00	4	\$316.00		\$0.00	5	
Planting Specifications		\$0.00		\$0.00	1	\$120.00		\$0.00		\$0.00	1	
Cost Estimate		\$0.00		\$0.00	1	\$120.00	5	\$395.00		\$0.00	6	
Meetings		\$0.00		\$0.00	1	\$120.00		\$0.00		\$0.00	1	
		\$0.00		\$0.00		\$0.00		\$0.00		\$0.00	0	
Task 3 - 100% Planting & Irrigation Plans												
Irrigation Plan		\$0.00		\$0.00		\$0.00	6	\$474.00		\$0.00	6	
Irrigation Details, Notes, Legends		\$0.00		\$0.00		\$0.00	2	\$158.00		\$0.00	2	
Irrigation Specifications		\$0.00		\$0.00	1	\$120.00		\$0.00		\$0.00	1	
Planting Plan		\$0.00		\$0.00		\$0.00	7	\$553.00		\$0.00	7	
Planting Details, Notes, Legends		\$0.00		\$0.00		\$0.00	2	\$158.00		\$0.00	2	
Planting Specifications		\$0.00		\$0.00	1	\$120.00		\$0.00		\$0.00	1	
Cost Estimate		\$0.00		\$0.00	1	\$120.00	2	\$158.00		\$0.00	3	
Meetings		\$0.00		\$0.00		\$0.00		\$0.00		\$0.00	0	
		\$0.00		\$0.00		\$0.00		\$0.00		\$0.00	0	
Task 4 - Final Planting & Irrigation Plans												
Irrigation Plan		\$0.00		\$0.00		\$0.00	3	\$237.00		\$0.00	3	
Irrigation Details, Notes, Legends		\$0.00		\$0.00		\$0.00	2	\$158.00		\$0.00	2	
Irrigation Specifications		\$0.00		\$0.00	1	\$120.00		\$0.00		\$0.00	1	
Planting Plan		\$0.00		\$0.00		\$0.00	2	\$158.00		\$0.00	2	
Planting Details, Notes, Legends		\$0.00		\$0.00		\$0.00	2	\$158.00		\$0.00	2	
Planting Specifications		\$0.00		\$0.00	1	\$120.00		\$0.00		\$0.00	1	
Cost Estimate		\$0.00		\$0.00	1	\$120.00	2	\$158.00		\$0.00	3	
Meetings		\$0.00		\$0.00		\$0.00		\$0.00		\$0.00	0	
		\$0.00		\$0.00		\$0.00		\$0.00		\$0.00	0	
HOURS SUBTOTAL	0		0		32		458		0		520	
COST SUBTOTAL*		\$0.00		\$0.00		\$7,440.00		\$38,182.00		\$0.00		\$43,622.00

* Not including reimbursables. In-House Reimbursables will be billed at cost. Outside expenses will be billed at cost plus 10%.

SUMMARY OF ASSUMPTIONS:

1. No additional coordination meetings and/or construction support will be needed.
2. Reproduction/Plotting: 10 sets of half-size (11"x17") prints at 35% and 65% submittals, 10 sets of half-size (11"x17") and 1 full-size plots on bond (24"x36") at 100%/AFC submittals.
3. Travel/Mileage: Up to three round trips on-site field work plus three round trips for PDT/Coordination meetings.
4. Assumes URS will provide Tatsumi and Partners with cut-sheet format digital files as well as master (entire length) digital file 50 scale (Imperial) or 1:500 (metric).
5. Assumes URS will provide electrical and plumbing engineering services for connection to irrigation controller, water source points of connections, and booster pumps (if necessary).
6. This fee proposal assumes as-built plans will be available to Tatsumi and Partners.
7. This fee proposal assumes that Caltrans and/or landscape contractor personnel will assist Tatsumi staff to verify existing on-site as-built conditions such as, but not limited to, condition of existing backflow preventors, crossovers, valves, water m



SANBAG Contract No. C08012

by and between

San Bernardino County Transportation Authority

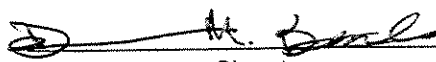

and

URS Corporation

for

Construction Support Services for Live Oak / I-10 Interchange Project

FOR ACCOUNTING PURPOSES ONLY				
<input checked="" type="checkbox"/> Payable <input type="checkbox"/> Receivable	Vendor Contract # _____ Vendor ID _____	Retention: <input type="checkbox"/> Yes _____ % <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Original <input type="checkbox"/> Amendment	
Notes:				
Original Contract: \$ <u>100,490</u> Contingency Amount: \$ _____		Previous Amendments Total: \$ <u>0</u> Previous Amendments Contingency Total: \$ <u>0</u> Current Amendment: \$ <u>0</u> Current Amendment Contingency: \$ <u>0</u>		
Contingency Amount requires specific authorization by Task Manager prior to release.				
Contract TOTAL →				\$ <u>100,490</u>
↓ Please include funding allocation for the original contract or the amendment.				
<u>Task</u>	<u>Cost Code</u>	<u>Funding Sources</u>	<u>Grant ID</u>	<u>Amounts</u>
<u>84308000</u>	<u>5553</u>	<u>City of Yucaipa</u>	<u>0638</u>	<u>\$ 100,492</u>
Original Board Approved Contract Date: <u>7/11/07</u> Contract Start: <u>7/11/07</u> Contract End: <u>12/31/09</u> New Amend. Approval (Board) Date: _____ Amend. Start: _____ Amend. End: _____				
If this is a multi-year contract/amendment, please allocate budget authority among approved budget authority and future fiscal year(s)-unbudgeted obligations:				
Approved Budget Authority →	Fiscal Year: <u>06/07</u>	Future Fiscal Year(s) - Unbudgeted Obligation →		
Is this consistent with the adopted budget? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, which Task includes budget authority? <u>0843</u> If no, has the budget amendment been submitted? <input type="checkbox"/> Yes <input type="checkbox"/> No				
CONTRACT MANAGEMENT				
Please mark an "X" next to all that apply:				
<input type="checkbox"/> Intergovernmental <input checked="" type="checkbox"/> Private <input type="checkbox"/> Non-Local <input type="checkbox"/> Local <input type="checkbox"/> Partly Local				
Disadvantaged Business Enterprise: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes _____ %				
Task Manager: Darren Kettle			Contract Manager: Herald Lantis	

 6-26-07
 Task Manager Signature Date
 06/26/07
 Chief Financial Officer Signature Date

 Contract Manager Signature Date



ATTACHMENT A

May 30, 2007

Chuck Wisdom
SANBAG
1170 W 3rd Street, 2nd Floor
San Bernardino, CA 92410

Re: I-10/Live Oak Canyon Road Interchange Reconstruction Project – Scope of Services for Post-Design and Construction Support

Dear Mr. Wisdom:

URS is pleased to provide our proposal for Post-Design and Construction Support Services on the subject project.

Description

The proposed services consist of post-design activities to support SANBAG in the bid, construction, and construction close-out phases of the I-10 / Live Oak Canyon Road Interchange Reconstruction Project. URS acknowledges that SANBAG will utilize its own staff, augmented by separate consultant services, to administer and oversee construction and the construction contractor, and serve as liaison to Caltrans, City of Yucaipa, and other 3rd parties. These activities include inspection, surveying, materials testing, and overall construction management, under the direction of a resident engineer. As the project designer, URS will support SANBAG staff by providing the following tasks on an on-call basis:

- Assemble design documentation and prepare a resident engineer file
- Prepare grid grades
- Provide electronic drawing files
- Prepare responses to Requests for Information (RFI)
- Conduct Shop Drawing Reviews
- Attend meetings
- Prepare as-builts
- Management and administration of support services

Other services that SANBAG construction management staff may request, but are not accounted for in URS' fee estimate, include:

URS Corporation
2020 East First Street, Suite 400
Santa Ana, CA 92705
Tel: 714.835.6886
Fax: 714.667.7147
www.urscorp.com

C. Wisdom
SANBAG
May 30, 2007
Page 2

URS

- Prepare cut cross sections
- Assistance with State Furnished Materials
- Prepare contract addenda
- Conduct design and prepare plans to support owner initiated construction contract change orders

Fee for Services

Because of the on-call nature of the services, URS proposes to provide services on a time and materials basis. The above services will only be performed when a written request is received from authorized SANBAG staff. An estimate for the activities anticipated is included as Attachment A. Actual fees will vary depending upon services requested. URS expects to retain CH2M Hill, as a subconsultant, to provide support services commensurate with the design they prepared. URS will provide monthly progress reports and invoices.

If you have any questions regarding this matter, please contact me at (714) 643-2749.

Sincerely,

URS Corporation



Shannon Willits, PE
Senior Project Manager

URS CONSTRUCTION SUPPORT SERVICES

I-10/LIVE OAK INTERCHANGE RECONSTRUCTION

5/30/2007

DIRECT LABOR

<u>CLASSIFICATION</u>	<u>HOURS</u>	<u>AVERAGE RATE</u>	<u>TOTAL</u>
PRINCIPAL TRAFFIC ENGINEER	2	\$75.00	\$113
PROJ MGR / SR PROJ ENGR	52	\$62.00	\$3,224
SR TRAFFIC ENGINEER	161	\$52.00	\$8,372
PROJECT ENGINEER	34	\$39.00	\$1,326
TRAFFIC ENGINEER	178	\$32.00	\$5,696
DESIGN ENGINEER / CADD TECH	218	\$26.00	\$5,655
ADMINISTRATIVE ASSISTANT	24	\$24.00	\$576
TOTAL HOURS	668		

SUBTOTAL DIRECT LABOR COSTS	\$24,946
SALARY ESCALATION	5.12%
TOTAL DIRECT LABOR COSTS	\$26,222

INDIRECT COSTS (Combined O/H + G&A)

<u>RATE</u>	<u>TOTAL</u>
150.00%	\$39,333

TOTAL INDIRECT COSTS	\$39,333
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<u>FEE</u>	<u>RATE</u>	
	10.00%	\$6,555

OTHER COSTS

TRAVEL/REPRO/MAIL	\$ 3,600
-------------------	----------

SUBTOTAL	\$3,600.00
----------	------------

SUBCONTRACTOR

<u>HOURS</u>	
CH2M HILL	\$24,780

SUBTOTAL	\$24,780
----------	----------

TOTAL COST	\$100,490
------------	-----------

CONTINGENCY	\$0
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TOTAL COSTS:	\$100,490
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LABOR BREAKDOWN & COST CALCULATIONS

I-10/LIVE OAK INTERCHANGE										COSTS									
RECONSTRUCTION										OH & Fee									
WORK ITEM										Escalation									
										150% x 10%									
										5.12%									
										TOTAL									

- San Bernardino County Transportation Commission ■ San Bernardino County Transportation Authority
■ San Bernardino County Congestion Management Agency ■ Service Authority for Freeway Emergencies

Minute Action

AGENDA ITEM: 20

Date: July 11, 2007

Subject: Amendment No. 5 to Purchase Order 0432 with P&D Consultants for construction management services for the State Route 71 Landscape Project

Recommendation: *

1. Approve Amendment No. 5 to Purchase Order No. 0432 with P&D Consultants increasing the amount by \$35,000 to provide Construction Management Services for Route 71 Landscaping completion project, and
2. Amend the SANBAG 2007/08 Budget increasing expenditures and revenues in Task Number 81808000 in the amount of \$35,000 as detailed in the Financial Impact Section. Funding sources is Measure I Valley Major Projects. TN 81808000

Background: In June of 2000, the SANBAG Board approved a Cooperative Agreement with the City of Chino Hills to function as the Construction Manager for the SR 71 Landscape Project. The City of Chino Hills opted to hire an outside construction management firm, P&D Consultants, to be responsible for day to day oversight of the project.

The Route 71 Landscape project has encountered a number of obstacles and extended far longer than all parties involved anticipated with SANBAG having to terminate the first landscape contractor on the project. The Cooperative Agreement and subsequent amendments for Chino Hills' role as Construction Manager ran their course. Subsequently, a second landscape contractor was brought in to complete the project. In order to maintain continuity on the project

Approved
Board of Directors

Date: July 11, 2007

Moved: Second:

In Favor: Opposed: Abstained:

Witnessed: _____

SANBAG exercised the Executive Director's authority to issue a Purchase Order with P&D Consultants. The SANBAG Board approved amendment No. 4 in December 2006 to supplement the Purchase Order to provide continued construction management oversight. In an effort to facilitate transitioning the 71 Landscape project to from the current contractor/SANBAG to Caltrans, SANBAG arranged with Caltrans to accept one interchange at a time to allow the contractor to focus on the remaining interchanges. Caltrans has now accepted five of the six interchanges and we expect that Caltrans will accept the sixth by the end of June 2007. While this approach has proven successful in transitioning the project to Caltrans, it has depleted the remaining funding in the Purchase Order. Staff now recommends increasing the PO in the amount of \$35,000 to fund additional close out costs including construction inspection on the sixth and final interchange, contract close-out paperwork and provide litigation support. The new not to exceed amount for PO 0432 is \$235,000.

Additionally, litigation with the first Rt. 71 landscape contractor is moving ahead as SANBAG tries to recover costs to complete the project. These additional requested funds will provide support by the construction management consultant to the legal team as they prepare for trial currently set for December 3, 2007.

Financial Impact: This action is not consistent with the 2007/08 Budget and does require a budget amendment. Amend the SANBAG 2007/08 Budget increasing expenditures and revenues in Task Number 81808000 in the amount of \$35,000. Funding source is Measure I Valley Major Projects. TN 81808000

Reviewed By: This item was reviewed and unanimously recommended for approval by the Major Projects Committee on June 14, 2007. (*Meeting chaired by John Pomierski*)

Responsible Staff: Darren Kettle, Director of Freeway Construction

AMENDMENT NO. 5 to P.O. 0432 PURCHASE ORDER REQUEST

NOTE: Do not use a purchase order for construction projects, roadwork, purchase or lease of real property, and employment contracts.

Short Description of PO to be included in monthly procurement report.
(Required) Use up to a maximum of 27 characters to provide a short description.

Landscape Const. Svcs. Rt. 74

VENDOR: P&D CONSULTANTSVendor ID PDCIADDRESS: 999 TOWN AND COUNTRY ROAD, 4TH FLOOR, ORANGE, CA 92868PHONE: (714) 835-4447

☐ Process payment from this PO Request – invoice is attached.

PO End Date (required): _____

PO # (if released for RFP/RFO): _____

Item Description	Order Qty	Task #	Cost Code	Amount
Construction Management Svcs - Landscape Rt. 71	1	81808000	5553	\$ 35,000
				\$
				\$
				\$
				\$
				\$
Shipping/Handling				\$
TOTAL				\$ 35,000

Attach any special instructions that are to be noted on the purchase order.

Please answer the following questions regarding the selection process:

Was the County Pre-Approved Vendor List used? ☒ No ☐ Yes

Was an informal competitive bid process done? ☐ No ☐ Yes -- complete Informal Bid Process Form (Page 2).

Is this a sole source purchase order? ☐ No ☒ Yes - If so, why? Amendment to existing P.O.

Requested By: Darren Kettle

Date 6/26/07

P.O. Manager's Signature

Date

Approved by Task Manager (Signature)

Filename: PO08pdc15-dmk.doc

[Handwritten Signature] 6.28.07
[Handwritten Signature]

- San Bernardino County Transportation Commission ■ San Bernardino County Transportation Authority
■ San Bernardino County Congestion Management Agency ■ Service Authority for Freeway Emergencies

Minute Action

AGENDA ITEM: 21

Date: July 11, 2007

Subject: Quarterly Administrative Report on SANBAG Federal Funding Programs

Recommendation: * 1) Receive report on quarterly reporting and obligation status.
2) Adopt a finding of compliance with obligation requirements for all affected agencies.

Background: Assembly Bill 1012 requires SANBAG to monitor and report to Caltrans on the use of Congestion Mitigation and Air Quality (CMAQ), Regional Surface Transportation Program (RSTP), and Transportation Enhancement (TE) funds apportioned to San Bernardino County and allocated by the SANBAG Board. Federal funds apportioned to SANBAG are eligible for obligation for three years. Obligation refers to a commitment by the FHWA to reimburse an agency for an authorized amount of federal funds for a specific project. After three years, unobligated apportionments are subject to reprogramming and loss to SANBAG and its member agencies.

Because of SANBAG's requirement to manage the timely use of funds to avoid loss of funding pursuant to the provisions of AB1012, the SANBAG Board established a protocol that requires recipients of federal funds allocated by SANBAG to enter into contracts with SANBAG. These contracts include a description of the scope of the approved project, the amount of federal fund allocation, and the schedule of project

*

Approved
Board of Directors

Date: _____

Moved: *Second:*

In Favor: *Opposed:* *Abstained:*

Witnessed: _____

implementation. In addition, the terms of the contracts require federal fund recipients to submit quarterly progress reports on their projects to SANBAG until completion of the project. In accordance with adopted SANBAG policy, failure to comply with any provision of the contract constitutes grounds for revocation and reallocation of the funding by action of the SANBAG Board pursuant to the protocol specified in each contract.

Quarterly Reporting Status

Tables 1 – 4 summarize the projects to which funds were allocated, their quarterly reporting history, and the status of the project. All agencies required to report to SANBAG on the status of their projects submitted quarterly reports by April 15th as required by the terms of their contract.

Obligation Status

As mentioned earlier, federal funds are available for obligation for three years from the date of apportionment. Therefore, unobligated balances from federal apportionments through fiscal year 04/05 will be subject to reprogramming in November 2007. According to project schedules submitted in the project status reports, agencies are anticipating obligation of approximately \$24 million CMAQ (combined total MDAB and SCAB) and \$34.7 million STP by November 2007. Therefore, staff does not expect any CMAQ or STP funds to be subject to reprogramming in December, as indicated by the negative amounts shown in each table under "Expected Amount Subject to Reprogramming 11/07".

As was reported to the SANBAG Board in June 2006, Caltrans has developed an Obligation Authority (OA) Management Policy that limits annual obligations to annual OA levels on a county-by-county basis. Because annual apportionments are almost always higher than annual OA levels, OA being the mechanism to access the apportionments, it is inevitable that SANBAG will eventually lose a portion of past apportionments through AB1012. An analysis of the projected impacts of this policy is necessary before allocation of additional funds.

Please note that TE funds are now administered through the STIP. The obligation deadline, therefore, is in June each year, consistent with the State fiscal year. Programmed funds not obligated or extended will lapse and be unavailable to San Bernardino County until the 2008 STIP Programming Cycle, which begins at the end of this year.

- Financial Impact:*** Funding for SANBAG's monitoring of local assistance project status is consistent with the adopted SANBAG Budget Task No. 37307000. The absence of critical project status and progress information provided in quarterly reports could result in SANBAG's inability to assure timely obligation of funds to avoid loss to the agency and its members.
- Reviewed By:*** This item was reviewed and unanimously recommended for approval by the Plans and Programs Committee on June 20, 2007. *(Meeting chaired by Mayor Eaton)*
- Responsible Staff:*** Ty Schuiling, Director of Planning and Programming

TABLE 2
Congestion Mitigation and Air Quality Program Status
South Coast Air Basin

Quarterly Reporting Status

Lead Agency	Project Description	Contract Number	Board Approval	Allocated Amount	Obligated Amount	2007 Quarterly Reports				Comments
						1	2	3	4	
Caltrans	IE Transportation Management Center & PWR - Fontana	200626	10/05/05	\$5,050,000	\$0	Apr-07	*	Oct-06	Jan-07	RFAS to be submitted 12/07
Chino	Mountain Avenue Traffic Signal Coordination	02-022	09/01/01	\$251,000	\$0	C	C	C	C	Project obligated 3/05
Chino Hills	CNG Time-Fill Refueling Stations	02-036	09/01/01	\$88,400	\$89,000	C	C	C	C	Project obligated 8/05
Colton	Alt Fuel Park n-Ride One-Stop Facility	00-097	02/02/00	\$0	\$0	C	C	C	C	Project cancelled by City
Colton	Colton San Bernardino Pedestrian/Bikeway	02-027	09/01/01	\$432,704	\$432,704	C	C	C	C	Project obligated 3/07
Colton	Washington St at Reche Cyn & Hunts Ln Mitigation	00-102	02/02/00	\$400,000	\$60,000	Apr-07		Oct-06	Jan-07	RFAS to be submitted 10/07
Fontana	Sierra Av/Midberry Ave ATIS Ph 1 - Communications	02-038	08/01/01	\$2,590,000	\$2,590,000	C	C	C	C	Project obligated 10/03
Highland	5th Street Signal Interconnect	02-032	09/01/01	\$209,000	\$209,000	C	C	C	C	Project obligated 8/05
Highland	Base Line Road Signal Interconnection	02-021	09/01/01	\$86,000	\$96,000	C	C	C	C	Project obligated 2/04
Highland	Palm Avenue Signal Interconnect	02-029	09/01/01	\$57,000	\$57,000	C	C	C	C	Project obligated 8/05
Loma Linda	Anderson St/Tippescano Av Signal Interconnect	00-082	02/02/00	\$105,740	\$105,000	C	C	C	C	Project obligated 2/03
MARITA	Big Bear Visitors Trolley	02-039	09/01/01	\$274,442	\$274,442	C	C	C	C	Project obligated 5/03
MARITA	Replacement Paramet Vehicle Purchase	200423	09/06/03	\$1,060,000	\$617,763	Apr-07		Oct-06	Jan-06	Funds programmed in future years
MARITA	Replacement Buses - All Fuel	200424	09/06/03	\$1,265,000	\$272,672	Apr-07		Oct-06	Jan-06	Funds programmed in future years
Monclair	Bus System - Operating Assistance	SBD1055	08/06/03	\$80,000	\$0	C	C	C	C	Project obligated 8/05
Monclair	North Monclair Signal Interconnect	02-033	09/01/01	\$309,700	\$309,700	C	C	C	C	Project obligated 6/03
Monclair	Ranoma Av Grade Separation	00-086	02/02/00	\$1,590,481	\$0	Apr-07		Oct-06	Jan-07	RFAS to be submitted 7/07
Oranienburg	Replacement Paramet Vehicles for Access Fleet	20040211	09/06/03	\$3,325,000	\$0	Apr-07		Oct-06	Jan-07	Funds programmed in future years
Oranienburg	Bus Replacement - All Fuel	SBD90105	08/05/03	\$5,795,000	\$0	Apr-07		Oct-06	Jan-07	Funds programmed in future years
Rancho Cucamonga	Base Line Road Signal Synchronization	02-020	09/01/01	\$109,000	\$100,000	C	C	C	C	Project obligated 5/03
San Bernardino	East Valley LINGLONG Fueling Facility	02-024	09/01/01	\$911,859	\$911,795	C	C	C	C	Project obligated 7/05
San Bernardino	Washington Street at Waterman Avenue Traffic Signal	02-035	09/01/01	\$106,000	\$106,000	C	C	C	C	Project obligated 5/03
San Bernardino	Metrolink Parking Structure	20020802	09/06/03	\$7,139,000	\$531,000	Apr-07		Oct-06	Jan-07	Funds programmed in future years
SB County	Crestline Commuter Park and Ride Lot	02-028	09/01/01	\$354,119	\$355,000	C	C	C	C	Project obligated 7/05
SB County	San Bernardino Avenue Traffic Signal/Synchronization	02-023	09/01/01	\$2,545,237	\$2,545,237	C	C	C	C	Project obligated 7/05
SB County	Webb St @ SH-28 - Install Traffic Signals	00-089	02/02/00	\$173,250	\$173,772	C	C	C	C	Project obligated 8/05
Updand	Updand Metrolink Station - Parking Expansion	20040825	09/06/03	\$2,776,800	\$0	Apr-07		Oct-06	Jan-07	Funds programmed in future years
Updand	SPPE Right-of-Way Bicycle/Pedestrian Trail - Phase II	02-031	09/01/01	\$1,555,053	\$1,555,053	C	C	C	C	Project obligated 5/04
TOTALS				\$39,640,765	\$11,642,142					

Obligation Status

Fiscal Year 06/07:	Fiscal Year 07/08:
Apportionment Subject to Reprogramming \$42,576,266	Apportionment Subject to Reprogramming \$12,761,211
Obligated Amount to Date* \$27,171,131	Obligated Amount for FY07/08 \$0
Additional Obligation Scheduled by 11/07 \$21,959,840	Additional Obligation Scheduled by 11/08 \$18,799,022
Expected Amount Subject to Reprogramming 11/07** \$-6,554,705	Expected Amount Subject to Reprogramming 11/08** \$-6,037,811
	(includes amount over-obligated in FY 06/07)

NOTES:

- * - Includes projects with closed contracts and projects funded through Board set-asides
- C - Project Complete/Cancelled
- RFAS - PSE Request for Authorization, RFAS - ROW Request for Authorization, RFAS - CONST Request for Authorization

TABLE 3
Regional Surface Transportation Program Status

Quarterly Reporting Status

Lead Agency	Project Description	Contract Number	Board Approval	Allocated Amount	Obligated Amount	2007 Quarterly Reports				Comments
						1	2	3	4	
Adelanto	El Mirage Rehab & Paving - West City Limits to US395	01-036	10/04/00	\$1,375,465	\$0	Apr-07	Jul-06	Oct-06	Jan-07	RF A2 to be submitted 6/08
Apple Valley	Yuca Loma Bridge over Mojave River	200049	12/07/05	\$2,800,000	\$0	*	*	Oct-06	Jan-07	RF A1 submitted 11/06
Barstow	Lenwood Rd Rehab - Commerce Pkwy to 34th West	01-040	10/04/00	\$423,000	\$0	C	C	C	C	Obligated 8/16/05
Barstow	East Main St Rehab - Barstow Rd to Muriel Dr	01-039	10/04/00	\$750,828	\$750,828	C	C	C	C	Obligated 8/17/05
Big Bear Lake	Signal at SR18/Big Bear Rd/Paine Rd/Village Dr	01-035	10/04/00	\$495,280	\$495,280	C	C	C	C	Obligated 8/10/06
Colton	Main St & Iowa Ave Intersection	01-072	02/07/01	\$250,000	\$18,476	Apr-07	Jul-06	Oct-06	Jan-07	RF A2 to be submitted 6/07
Fontana	Sierra Av-BaseLine to Highland Av-Widen 4.6 Lanes	01-075	02/07/01	\$0	\$0	C	C	C	C	Project cancelled 12/3/03
Fontana	Foothill Bl - East Av to Hemlock - Widen 4.6 Lanes	01-079/80	02/07/01	\$0	\$0	C	C	C	C	Project cancelled 12/20/04
Fontana	Jungpaulberry Intersection Improvements	01-081	02/07/01	\$0	\$0	C	C	C	C	Project cancelled 8/03
Fontana	Baseline-Citrus to Maple - Widen 2.6 Lanes	01-076	02/07/01	\$0	\$0	C	C	C	C	Project cancelled 12/3/03
Hesperia	Ranchero Rd Grade Separation	SB0031276	12/07/05	\$3,650,000	\$0	Apr-07	Jul-06	Oct-06	Jan-07	RF A3 to be submitted 7/06
Highland	5th St - Boulder to SR30 - Widen 2.4 Lanes	01-078	02/07/01	\$870,600	\$870,600	C	C	C	C	Project obligated 8/25/05
Highland	Pepper Av-Foothill to Highland-Widen and Extend to 6 Lanes	01-075	02/07/01	\$0	\$0	C	C	C	C	Board reallocated funds to other projects 12/03
San Bernardino	State St-16th St to Foothill-Extend 2 lanes	01-082	02/07/01	\$2,005,000	\$80,000	Apr-07	Jul-06	Oct-06	Jan-07	RF A2 to be submitted 7/07
SB County	Needles Hwy N St to Nevada State Line-Realign Rehab	01-038	10/04/00	\$1,907,284	\$310,000	Apr-07	Jul-06	Oct-06	Jan-07	RF A2 to be submitted 5/08
SB County	National Trails Hwy - Passing Lanes	01-033	10/04/00	\$1,043,975	\$0	Apr-07	Jul-06	Oct-06	Jan-07	RF A2 to be submitted 5/08
SB County	Cedar Av Widening PSE - Slower Av to Valley Bl	01-074	02/07/01	\$0	\$0	C	C	C	C	Project cancelled 3/25/05
Twentynine Palms	Two Mile Road Rehab - Sunrise to Lear	01-037	10/04/00	\$0	\$0	C	C	C	C	Project cancelled 9/9/04
Victorville	I-15 La Mesa/San Jacinto Interchange	SB034170	12/07/05	\$3,800,000	\$0	Apr-07	*	Oct-06	Jan-07	RF A1 to be submitted 2/07
Victorville	I-15/Mojave Dr IIC	33399	12/04/02	\$1,000,000	\$0	Apr-07	Jul-06	Oct-06	Jan-07	RF A3 to be submitted 1/07
Victorville	Bear Valley Rd Rehab - I-15 to Kiowa Rd	01-041	10/04/00	\$5,999,071	\$5,999,071	C	C	C	C	Obligated 08/23/05
TOTALS				\$27,806,369	\$5,992,156					

Obligation Status

Fiscal Year 06/07:	Fiscal Year 07/08:
Apportionment Subject to Reprogramming \$33,096,642	Apportionment Subject to Reprogramming \$-15,501,961
Obligated Amount to Date* \$31,480,632	Obligated Amount for FY07/08 \$0
Additional Obligation Scheduled by 11/07 \$34,770,364	Additional Obligation Scheduled by 11/08 \$7,827,209
Expected Amount Subject to Reprogramming 11/07 **\$-33,154,559	Expected Amount Subject to Reprogramming 11/08 **\$-23,328,170
	(Includes amount of over-obligated in FY 06/07)

NOTES:

- * - Includes projects with closed contracts and projects funded through Board set-asides
- C - TEA 21 Funded Project Completed/Cancelled
- RF A1 - PSE Request for Authorization, RF A2 - ROW Request for Authorization, RF A3 - CONST Request for Authorization

TABLE 4
Transportation Enhancement Program Status

Quarterly Reporting Status

Lead Agency	Project Description	Contract Number	Board Approval	Allocated Amount	Obligated Amount	2007 Quarterly Reports				Comments
						1	2	3	4	
DeSoto	151st Street Road Landscaping	01-058	12/05/00	\$416,680	\$416,680	C	C	C	C	Obligated 8/16/05
Chino	Chino/Chino Hills Bikeway Connector	00-073	01/05/00	\$435,000	\$435,000	C	C	C	C	Obligated 3/05
Colton	Colton San Bernardino Freeway Project	02-041	08/01/01	\$719,853	\$719,853	C	C	C	C	Obligated 3/19/07
Fontana	Fontana Portion of Inland Empire Pacific Electric Trail	200431	10/05/05	\$1,796,000	\$0	Apr-07	Jul-06	Oct-06	Jan-07	Funds to be allocated at April CTC meeting
Rancho Cucamonga	Rancho Portion of Inland Empire Pacific Electric Trail	20020201	10/05/05	\$1,796,000	\$1,796,000	C	C	C	C	Obligated 8/25/05
SB County	Sanita Ana River Trail - La Cadena to Waterman	00-070	01/05/00	\$2,706,213	\$2,706,213	C	C	C	C	Project obligated
SB County	Sanita Ana River Trail - Waterman Ave to California St	01-054	12/06/00	\$1,040,060	\$1,040,060	C	C	C	C	Project obligated 6/05
SB County	Lake Gregory Walkway	01-055	12/06/00	\$1,009,360	\$1,009,360	C	C	C	C	Project obligated 6/05
SB County	Green Valley Lake Museum, Trail, Visitors Center	00-076	01/05/00	\$200,000	\$175,240	C	C	C	C	Project fully obligated
Twenty-nine Palms	National Park Drive Entry Project	00-075	01/05/00	\$91,000	\$91,000	C	C	C	C	Project obligated 5/05
Upland	SP/PE ROW Bike/Ped Trail	01-056	12/06/00	\$1,566,400	\$1,566,400	C	C	C	C	Project fully obligated
Upland	SP/PE Right-of-Way Bicycle/Pedestrian Trail - Phase I	02-031	08/01/01	\$908,000	\$908,000	C	C	C	C	Project obligated 8/04
US Forest Service	Rim of the World Scenic Trail	01-029	01/05/00	\$1,000,000	\$0	Apr-07	Jul-06	Oct-06	Jan-07	RF A1 to be submitted 10/07
Victorville	Riverwalk Trail	00-071	01/05/00	\$2,212,643	\$761,000	Apr-07	Jul-06	Oct-06	Jan-07	RF A2 to be submitted 3/09
TOTALS				\$16,897,209	\$11,624,810					

Allocation Status

Fiscal Year 06/07	Fiscal Year 07/08
Apportionment Subject to Lapse \$3,741,000	Apportionment Subject to Lapse \$3,378,000
Allocated Amount to Date* \$0	Allocated Amount for FY07/08 \$0
Additional Allocation Scheduled by 7/07 \$1,796,000	Additional Allocation Scheduled by 7/08 \$1,999,259
Amount Subject to Lapse 7/07* \$1,945,000	Expected Amount Subject to Lapse 7/08* \$1,378,741

NOTES:

- *Note: TE funds not allocated by the CTC in the year programmed will lapse. The funds will be available for programming in the 2008 STIP cycle
- C - TEA-21 Funded Project Complete/Cancelled
- RF A1 - PSE Request for Authorization, RF A2 - ROW Request for Authorization, RF A3 - CONST Request for Authorization

- San Bernardino County Transportation Commission ■ San Bernardino County Transportation Authority
■ San Bernardino County Congestion Management Agency ■ Service Authority for Freeway Emergencies

Minute Action

AGENDA ITEM: 22

Date: July 11, 2007

Subject: Fiscal Year 2007/2008 Transportation Development Act (TDA) Unmet Transit Needs Public Hearings

*Recommendation:**
1. Adopt Definitions of "Unmet Transit Needs" and "Reasonable to Meet" as identified in Attachment A.
2. Set Times, Dates and Locations for the TDA Unmet Needs Public Hearings.

Background: Each year the San Bernardino County Transportation Commission is required by Public Utilities Code Sections 99238.5 and 99401.5 to hold public hearings for obtaining testimony regarding unmet transit needs that can be reasonably met and must adopt findings prior to making an allocation of Local Transportation Funds (LTF) for street purposes. Per the Board action of 1993, a public hearing will not be held in the Valley as all LTF revenues are committed to transit. The information obtained at these hearings will be used in the planning and budget development of the affected transit operators for the subsequent fiscal year, as recommended in the transit operators' performance audit.

In January 2003, the Board approved the definitions of "unmet transit needs" and "reasonable to meet". An amendment to Section C – Equity, under the definition of "reasonable to meet", was approved by the Board in September 2004. These definitions were the result of an extensive effort to update them with input from

*

Approved
Board of Directors

Date: _____

Moved: _____ *Second:* _____

In Favor: _____ *Opposed:* _____ *Abstained:* _____

Witnessed: _____

organizations representing the transit dependent and the affected transit operators during 2002. The California Department of Transportation has suggested that the definitions be reviewed and adopted on a periodic basis. The definitions were again approved by the Board on July 5, 2006. Attachment A contains the current definitions and no change is being proposed at this time. These definitions will be used to respond to the testimony received.

Three public hearings are proposed for this year with the locations being the Morongo Basin, San Bernardino Mountains and Victor Valley. The Boards of the Morongo Basin Transit Authority (MBTA), the Mountain Area Regional Transit Authority (MARTA) and the Victor Valley Transit Authority (VVTa) will serve as the hearing boards at their respective locations.

The schedule for the proposed hearings is as follows:

Upper Desert Region

September 17, 2007, at 9:30 a.m.
Mojave Desert AQMD Board Chambers
14306 Park Avenue
Victorville, California

Mountain Region

September 17, 2007, at 1:00 p.m.
Big Bear Lake City Hall
39707 Big Bear Boulevard
Big Bear Lake, California

Lower Desert Region

September 20, 2007, at 3:00 p.m.
Morongo Basin Transit Authority Facility
62405 Verbena Road
Joshua Tree, California

Financial Impact: This item is consistent with the adopted FY 2007/2008 budget. Funding for the public hearings is provided under Task No. 50208000, the funding source is LTF Administration.

Reviewed By: This item was reviewed by the Administrative Committee on June 13, 2007 and unanimously recommended for approval. (*Meeting chaired by Lawrence Dale*)

Responsible Staff: Michael Bair, Director of Transit and Rail Programs

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50208000

Attachment A

Definitions of “Unmet Transit Needs” and “Reasonable to Meet” adopted by the San Bernardino County Transportation Commission Board of Directors on July 11, 2007

Unmet Transit Needs: Unmet transit needs are any deficiency in the provision of public transit service, specialized transit service or private for-profit and non-profit transportation.

Reasonable to Meet: Reasonable to meet is a determination to be made based upon the following guidelines, performance and financial standards:

- A. **Community acceptance** – The proposed service has community acceptance and support as determined by the Unmet Transit Needs public hearing record, the inclusion of adopted programs and plans, the adoption of governing board positions and other existing information.
- B. **Timing** –
 - 1. The proposed service shall be in response to an existing rather than future need.
 - 2. The proposed service shall be implemented consistent with the timing for federal and state grant approval if such a grant is the most appropriate primary method of funding.
- C. **Equity** – The proposed service shall:
 - 1. Not unreasonably discriminate against or in favor of any particular segment of the community.
 - 2. Not result in reduced service levels for other parts of the transit system that have equal or higher priority.
 - 3. Require a subsidy per passenger generally equivalent to 120% of similar services being operated within the first two full fiscal years of operation unless overriding reasons so justify.

D. Cost effectiveness – The proposed service shall:

1. Not duplicate other existing transportation services or resources.
2. Consider opportunities for coordinating among adjoining public entities or with private transportation providers and/or funding agencies in order to maximize existing resources (including financial) as well as legal or customary responsibilities of other entities such as social service agencies, religious organizations and schools.
3. Not adversely affect the operator's ability to meet the required ratio of fare revenue to operating cost after two full fiscal years of operation.
4. Meet a productivity level of 80% of the average number of passengers per hour for similar services being operated within the first two full fiscal years of operation unless overriding reasons so justify.

E. Operational feasibility – The proposed service must be safe to operate, including the operation of vehicles on adequately maintained roadways.

-
- San Bernardino County Transportation Commission ■ San Bernardino County Transportation Authority
 - San Bernardino County Congestion Management Agency ■ Service Authority for Freeway Emergencies
-

Minute Action

AGENDA ITEM: 23

Date: July 11, 2007

Subject: Allocation of Local Transportation Funds (LTF) and State Transit Assistance Funds (STAF) for Fiscal Year 2007/2008

Recommendation:* Adopt Resolution 08-001 authorizing the allocation of Local Transportation Funds (LTF) and State Transit Assistance Funds (STAF) for Fiscal Year 2007/2008.

Background: Section 99214 of the Public Utilities Code designates the San Bernardino County Transportation Commission as the regional transportation planning agency for the purpose of administering the Transportation Development Act funds. This responsibility includes the adoption of the LTF apportionments, approval all LTF and STAF claims, issuance of LTF and STAF allocation and disbursement instructions.

Section 6659 of the California Code of Regulations (CCR) requires the adoption of a resolution authorizing the issuance of LTF allocation instructions. The California Department of Transportation has proposed changes to CCR Section 6753 to clarify that only one annual resolution is required for the allocation of STAF. The attached Resolution 08-001 has been prepared for Board adoption.

*

*Approved
Board of Directors*

Date: _____

Moved:

Second:

In Favor:

Opposed:

Abstained:

Witnessed: _____

Financial Impact: Authorization will allow the Board to issue LTF and STAF allocation instructions for its transportation planning and programming functions, commuter rail operating and capital assistance, and TDA administrative functions as approved in the Fiscal Year 2007/2008 Budget.

Reviewed By: This item was reviewed by the Administrative Committee on June 13, 2007 and unanimously recommended for approval. (*Meeting chaired by Lawrence Dale*)

Responsible Staff: Michael Bair, Director of Transit and Rail Program

RESOLUTION NO. 08-001

**RESOLUTION OF THE
SAN BERNARDINO COUNTY TRANSPORTATION COMMISSION
AUTHORIZING THE ALLOCATION OF
LOCAL TRANSPORTATION FUNDS AND
STATE TRANSIT ASSISTANCE FUNDS
FOR FISCAL YEAR 2007/2008**

WHEREAS, the San Bernardino County Transportation Commission is the designated transportation planning agency for the administration of the Transportation Development Act funds within San Bernardino County; and

WHEREAS, the Southern California Association of Governments (SCAG) Executive Committee has adopted a Regional Transportation Plan (RTP) directed toward the achievement of a coordinated and balanced transportation system; and

WHEREAS, the Board of Directors has adopted a Subregional Transportation Improvement Program including planned expenditures of transportation funds, including Local Transportation Funds and State Transit Assistance Funds; and

WHEREAS, claims may be submitted under the Transportation Development Act for allocations from the Local Transportation Fund and State Transit Assistance Funds consistent with the adopted plans, programs and apportionments;

NOW THEREFORE BE IT RESOLVED that the Board of Directors of the San Bernardino County Transportation Commission hereby approves the allocation of Local Transportation Funds and State Transit Assistance Funds for Fiscal Year 2007/2008 subject to those claims conforming to adopted apportionments and all other requirements of the Transportation Development Act, including but not limited to the following findings:

1. The claimant's proposed expenditures are in conformity with the Regional Transportation Plan.
2. The level of passenger fares and charges is sufficient to enable the operator or transit service claimant to meet the applicable fare revenue to operating expense (operating ratio) requirements.
3. The claimant is making full use of federal funds available pursuant to the Safe, Accountable, Flexible, Efficient Transportation Equity Act – A Legacy for Users (SAFETEA-LU).

4. The sum of the claimant's allocations from the State Transit Assistance Funds and Local Transportation Fund does not exceed the amount the claimant is eligible to receive during the fiscal year.
5. Priority consideration has been given to claims to offset reductions in federal operating assistance and the unanticipated increase in the cost of fuel, to enhance existing public transportation services, and to meet high priority regional, countywide, or area wide public transportation needs.
6. The claimant has made reasonable effort to implement the productivity improvements recommended pursuant to Public Utilities Code 99244, including the specific reference to the improvements recommended and the efforts made by the claimant to implement them.
7. The claimant submits a certification issued by the Department of California Highway Patrol within the last 13 months verifying that the claimant is in compliance with Section 1808.1 of the Vehicle Code (Drivers Pull Notice Program), as required by Public Utilities Code 99251.
8. The claimant is in compliance with the qualifying criteria pursuant to Public Utilities Code Section 99314.6 (use of STAF for operating purposes).
9. The transportation services contracted for under Public Utilities Code 99400(c) are responding to a transportation need not otherwise being met within the community or jurisdiction of the claimant and that where appropriate, the services are coordinated with the existing transportation service.

BE IT FURTHER RESOLVED that such approval does not include allocations for local street and roads unless the provisions of Sections 99401.5 and 99401.6 of the Public Utilities Code have been met; and

BE IT FURTHER RESOLVED that the Executive Director or his designee is authorized to transmit allocation instructions to the San Bernardino County Auditor/Controller, having first determined that the required allocation meets all requirements of this Resolution and the Transportation Development Act.

Approved by the Board of Directors of the San Bernardino County Transportation Commission at a regular meeting thereof held this 11th day of July 2007.

*

*

*Approved
Board of Directors*

Date: _____

Moved: _____ *Second:* _____

In Favor: _____ *Opposed:* _____ *Abstained:* _____

Witnessed: _____

- San Bernardino County Transportation Commission ■ San Bernardino County Transportation Authority
■ San Bernardino County Congestion Management Agency ■ Service Authority for Freeway Emergencies

Minute Action

AGENDA ITEM: 24

Date: July 11, 2007

Subject: Transportation Development Act (TDA) Claimant and Measure I Pass-Through Recipient Audit Services

*Recommendation:** Approve and authorize the Executive Director to sign Amendment No. 4 to Contract 06-008, (Letter of Engagement) in the amount of \$145,810 with Miers & Miers, CPA to audit the TDA Claimants and Measure I Pass-Through Recipients for the fiscal year ending June 30, 2007.

Background: In August 2005 the Board of Directors approved the selection of Miers & Miers, CPA to perform the fiscal and compliance audits for those jurisdictions and agencies receiving Local Transportation Funds (LTF), State Transit Assistance Funds (STAF) and Measure I Pass-Through Funds for the periods ending June 30, 2005, 2006 and 2007, with the ability to renew for two additional years. This contract amendment covers the Letter of Engagement for the period ending June 30, 2007, the third year of the existing contract.

SANBAG, as the regional transportation agency, is responsible for ensuring that all claimants to whom allocation of TDA funds are directed submit an annual certified fiscal audit of the funds received, pursuant to PUC Section 99245. In addition, SANBAG, as the County Transportation Authority, is required to certify Measure I pass-through recipients' compliance with the requirements of the San Bernardino County Transportation Authority Ordinances 89-10 and 90-1, and accompanying Measure I Policies.

*

Approved
Board of Directors

Date: _____

Moved:

Second:

In Favor:

Opposed:

Abstained:

Witnessed: _____

The total number of audits required for the year ending June 30, 2007, is 64, an increase of eleven audits over the previous year. This is due primarily to the number of jurisdictions that were allocated LTF Article 3 Bicycle and Pedestrian Funds for projects completed during the fiscal year.

Financial Impact: This item is consistent with the recently approved FY 2007-2008 Budget. The Letter of Engagement calls for \$145,810; plus an additional \$12,901 contingency. The contract amendment is for \$158,711 for a new total contract amount of \$420,989. Funding sources are identified as LTF-Planning Task 50108000; LTF-Administration Task 50208000, Measure I Administration-Valley Task 50408000; and Measure I Mountain/Desert-Administration Task 50508000.

Reviewed By: This item was reviewed by the Administrative Committee on June 13, 2007 and unanimously recommended for approval, with the suggestion that a Request for Proposal (RFP) be released for subsequent auditing services. (*Meeting chaired by Lawrence Dale*)

Responsible Staff: Michael Bair, Director of Transit and Rail Programs
Deborah Barmack, Director of Management Services
Victoria Baker, Senior Transit Analyst

SANBAG Contract No. 06-008-04

by and between

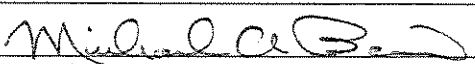


San Bernardino Associated Governments

and

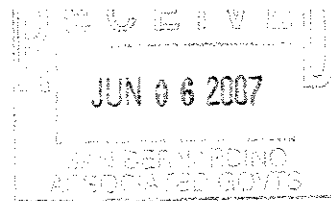
Miers & Miers, LLP, CPA

for

TDA & Measure I Pass-Through Recipients and Small Transit Operators Audits

FOR ACCOUNTING PURPOSES ONLY				
<input checked="" type="checkbox"/> Payable <input type="checkbox"/> Receivable	Vendor Contract # _____ Vendor ID <u>MM6</u>	Retention: <input type="checkbox"/> Yes _____ % <input checked="" type="checkbox"/> No	<input type="checkbox"/> Original <input checked="" type="checkbox"/> Amendment	
Notes:				
Original Contract: \$ <u>101,640</u> Contingency Amount: \$ <u>5,060</u>		Previous Amendments Total: \$ <u>119,598</u> Previous Amendments Contingency Total: \$ <u>35,980</u> Current Amendment: \$ <u>145,810</u> Current Amendment Contingency: \$ <u>12,901</u>		
Contingency Amount requires specific authorization by Task Manager prior to release.				
Contract TOTAL → \$ <u>420,989</u>				
↓ Please include funding allocation for the original contract or the amendment.				
<u>Task</u>	<u>Cost Code</u>	<u>Funding Sources</u>	<u>Grant ID</u>	<u>Amounts</u>
<u>50108000</u>	<u>5556</u>	<u>LTF - Planning</u>	_____	<u>\$ 16,800</u>
<u>50208000</u>	<u>5556</u>	<u>LTF - Administration</u>	_____	<u>\$ 86,086</u>
<u>50408000</u>	<u>5556</u>	<u>MI Admin. - Valley</u>	_____	<u>\$ 27,192</u>
<u>50508000</u>	<u>5556</u>	<u>MI Admin. - Mt./Desert</u>	_____	<u>\$ 28,633</u>
Original Board Approved Contract Date: <u>8/3/05</u> Contract Start: <u>8/3/05</u> Contract End: <u>6/30/08</u>				
New Amend. Approval (Board) Date: <u>7/11/07</u> Amend. Start: <u>7/11/07</u> Amend. End: <u>6/30/08</u>				
If this is a multi-year contract/amendment, please allocate budget authority among approved budget authority and future fiscal year(s)-unbudgeted obligations:				
Approved Budget Authority →	Fiscal Year: <u>2007/2008</u> \$ <u>158,711</u>	Future Fiscal Year(s) – Unbudgeted Obligation →	\$ _____	
Is this consistent with the adopted budget? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No				
If yes, which Task includes budget authority? <u>50108000, 50208000, 50408000 & 50508000</u>				
If no, has the budget amendment been submitted? <input type="checkbox"/> Yes <input type="checkbox"/> No				
CONTRACT MANAGEMENT				
Please mark an "X" next to all that apply:				
<input type="checkbox"/> Intergovernmental <input checked="" type="checkbox"/> Private <input type="checkbox"/> Non-Local <input type="checkbox"/> Local <input type="checkbox"/> Partly Local				
Disadvantaged Business Enterprise: <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes Veteran%				
Task Manager: Michael Bair		Contract Manager: Victoria Baker		
 Task Manager Signature		 Task Manager Signature		Date
 Chief Financial Officer Signature		 Contract Manager Signature		Date
Date <u>6/5/07</u>		Date <u>5/31/07</u>		

Filename: A06008-4-vlb.doc



Richard H. Miers, C.P.A.
Jeffrey D. Miers, C.P.A.
Donna J. Wells, C.P.A.
Laurel A. Jordan, C.P.A.

May 31, 2007

San Bernardino Associated Governments
1170 W. 3rd St., 2nd Floor
San Bernardino, CA 92410-1715

This letter is to confirm our understanding of the terms and objectives of our engagement and the nature and limitations of our financial and compliance audits with San Bernardino Associated Governments of the San Bernardino County Transportation Development Act claimants and Measure I Local Pass-Through Revenue recipients for the year ended June 30, 2007.

We will perform the financial and compliance examinations of the financial statements of the specified agencies, claimants and funds located in the County of San Bernardino, as delineated in the attachment, for June 30, 2007, and the results of operations and cash flows or changes in financial position for the fiscal year then ended and issue our reports and related management letters within the time frames identified. The financial statements are the responsibility of the claimant's management. Our responsibility is to express an opinion on the financial statements based on our audit. If our opinion is other than unqualified, we will fully discuss the reasons with you in advance. If, for any reason, we are unable to complete the audit, we will not issue a report as a result of this engagement.

We will conduct our audit in accordance with generally accepted auditing standards. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation.

We will also perform the audit as of June 30, 2007, of those claimants that so require to satisfy the audit requirements imposed by the Single Audit Act of 1984, U.S. Office of Management and Budget (OMB) Circular A-133, as identified in the attachment.

Our procedures will include tests of documentary evidence supporting the transactions recorded in the accounts. Statistical sampling may be used if feasible. These procedures may, for example, include tests of the physical existence of inventories and direct confirmation of receivables and certain other assets and liabilities by correspondence with selected customers, creditors, legal counsel, and banks. Since the auditor may determine such procedures are not appropriate under the circumstances, alternative procedures may be required. At the conclusion of our audit, we will request certain written representations from the specified agencies, claimants and funds about the financial statements and related matters.

An audit is based primarily on the selective testing of accounting records and related data; therefore, our audit will involve judgment about the number of transactions to be examined and the areas to be tested. Because we will not perform a detailed examination of all transactions, our audit is subject to the inherent risk that material errors, irregularities or illegal acts, including fraud or defalcations, if they exist, will not be detected.

It should be remembered that auditors are not insurers, and as a result, our report cannot guarantee that a material misstatement does not exist in the financial statements.

We understand that the management of the specified agencies, claimants and funds will provide us with the basic information required for our audit and that they are responsible for the accuracy and completeness of that information. We will advise the specified agencies, claimants and funds about appropriate accounting principles and their application and will assist in the preparation of their financial statements, but the responsibility for the financial statements remains with the management of the agencies, claimants and funds. This responsibility includes the maintenance of adequate records and related controls, the selection and application of accounting principles, and safeguarding of assets.

We understand that the employees of the agencies, claimants and funds will prepare all cash, accounts receivable, accounts payable and other confirmations we request and will locate any invoices we select for testing.

Our audit is not specifically designed and cannot be relied on to disclose reportable conditions, that is, significant deficiencies in the design or operation of the internal control structure. However, during the audit, if we become aware of such material weaknesses in internal control structure or ways that we believe management practices can be improved, we reserve the right to advise the specified agencies, claimants and funds of these weaknesses in a letter to management.

We expect to begin our audit upon contract approval, provide drafts of our reports by November 30, 2007, and complete and issue our final reports no later than December 30, 2007.

Our liability as auditor shall be limited to the period covered by our audit and shall not extend to later periods for which we are not engaged as auditor.

It is our policy to keep workpapers related to this engagement. When records are returned to the specified agencies, claimants and funds, it is their responsibility to retain and protect their records for possible future use, including potential examination by any government or regulatory agencies.

We will also prepare the State Controller's reports for all transit claimants for the fiscal year ended June 30, 2007.

Unforeseen or changed circumstances might affect our original fee estimate. If that is the case, we will notify you as soon as we become aware of it. Our fee for these services will be based on the actual time spent at our standard hourly rates, plus direct out-of-pocket costs, such as report production, computer charges, telephone calls, postage, etc. Our standard hourly rates vary according to the degree of responsibility involved and the experience level of the personnel assigned to your engagement. Our invoices for these fees will be rendered each month as work progresses and are payable on presentation.

Our standard hourly rates are as follows:

<u>Staff Category</u>	<u>Hourly Rate</u>
Managing/Engagement Partner	\$ 175
Consultant Auditor	\$ 175
Senior Auditor	\$ 125
Intermediate Auditor	\$ 60 - \$ 85
Staff	\$ 45

Our fee for these services is as follows, per specified work as detailed in the attachment:

<u>CLAIMANT</u>	<u>TASK NUMBER</u>	<u>AMOUNT</u>
All TDA audits	50208000	\$ 78,260.00
Valley Measure I audits	50408000	24,720.00
Mountain/Desert Measure I audits	50508000	26,030.00
Mountain/Desert single audit	50108000	16,800.00
		<u>\$ 145,810.00</u>

At the conclusion of the engagement, management of the specified agencies, claimants and funds agrees to give us a representation letter which, among other things, will confirm management's responsibility for the underlying assumptions and appropriateness of the financial forecast and its presentation.

We will be pleased to discuss this letter with you at any time.

If the foregoing is in accordance with your understanding, please sign this letter in the space provided and return it to us. The additional copy is for you records.

Sincerely,

Jeffrey D. Miers
Certified Public Accountant

E:06-003

Enclosure

ACKNOWLEDGED:
San Bernardino Associated Governments

MARK GRASSO, EXECUTIVE DIRECTOR

Date

SANBAG
TDA / MEASURE I PRICING ANALYSIS
FYE 6/30/07

CLAIMANT	REPORT	CONTRACT PRICE
ADELANTO	MEASURE I	1,545.00
APPLE VALLEY	MEASURE I	1,545.00
BARSTOW	MEASURE I	2,425.00
BIG BEAR LAKE	MEASURE I	2,425.00
COUNTY-COLORADO RIVER	MEASURE I	1,545.00
COUNTY-MORONGO BASIN	MEASURE I	1,545.00
COUNTY-MOUNTAINS	MEASURE I	2,425.00
COUNTY-NORTH DESERT	MEASURE I	1,545.00
COUNTY-VICTOR VALLEY	MEASURE I	1,545.00
HESPERIA	MEASURE I	2,425.00
NEEDLES	MEASURE I	1,545.00
TWENTYNINE PALMS	MEASURE I	1,545.00
VICTORVILLE	MEASURE I	1,545.00
YUCCA VALLEY	MEASURE I	2,425.00
TOTAL MOUNTAIN \ DESERT # 50508000		26,030.00
CHINO	MEASURE I	1,545.00
CHINO HILLS	MEASURE I	1,545.00
COLTON	MEASURE I	1,545.00
FONTANA	MEASURE I	1,545.00
GRAND TERRACE	MEASURE I	1,545.00
HIGHLAND	MEASURE I	1,545.00
LOMA LINDA	MEASURE I	1,545.00
MONTCLAIR	MEASURE I	1,545.00
ONTARIO	MEASURE I	1,545.00
RANCHO CUCAMONGA	MEASURE I	1,545.00
REDLANDS	MEASURE I	1,545.00
RIALTO	MEASURE I	1,545.00
SAN BERNARDINO	MEASURE I	1,545.00
UPLAND	MEASURE I	1,545.00
YUCAIPA	MEASURE I	1,545.00
COUNTY-VALLEY	MEASURE I	1,545.00
TOTAL VALLEY # 50408000		24,720.00
BARSTOW	SINGLE AUDIT / GAGAS	4,725.00
MARTA	SINGLE AUDIT / GAGAS	4,725.00
MBTA	SINGLE AUDIT / GAGAS	4,725.00
NEEDLES	SINGLE AUDIT / GAGAS	-
VVTA	SINGLE AUDIT / GAGAS	5,250.00
TOTAL SINGLE AUDIT # 50108000		19,425.00

SANBAG
TDA / MEASURE I PRICING ANALYSIS
FYE 6/30/07

CLAIMANT	REPORT	CONTRACT PRICE
ADELANTO	ARTICLE 8a	1,545.00
APPLE VALLEY	ARTICLE 8a	1,545.00
BARSTOW	ARTICLE 8a	1,545.00
BIG BEAR LAKE	ARTICLE 8a	1,545.00
CHINO	ARTICLE 8a	1,545.00
COUNTY	ARTICLE 8a	1,545.00
HESPERIA	ARTICLE 8a	2,425.00
NEEDLES	ARTICLE 8a	1,545.00
RANCHO CUCAMONGA	ARTICLE 8a	1,545.00
TWENTYNINE PALMS	ARTICLE 8a	1,545.00
VICTORVILLE	ARTICLE 8a	1,545.00
YUCCA VALLEY	ARTICLE 8a	1,545.00
TOTAL		19,420.00
BARSTOW	TRANSIT	4,940.00
MARTA	TRANSIT	8,400.00
MBTA	TRANSIT	8,400.00
NEEDLES	TRANSIT	4,940.00
VVTA	TRANSIT	9,450.00
TOTAL		36,130.00
BIG BEAR LAKE	ARTICLE 3	1,545.00
CHINO HILLS	ARTICLE 3	1,545.00
COLTON	ARTICLE 3	1,545.00
COUNTY	ARTICLE 3	1,545.00
FONTANA	ARTICLE 3	1,545.00
MBTA	ARTICLE 3	1,545.00
NEEDLES	ARTICLE 3	1,545.00
RANCHO CUCAMONGA	ARTICLE 3	1,545.00
UPLAND	ARTICLE 3	1,545.00
VICTORVILLE	ARTICLE 3	1,545.00
VVTA	ARTICLE 3	1,545.00
YUCAIPA	ARTICLE 3	1,545.00
YUCCA VALLEY	ARTICLE 3	1,545.00
TOTAL		20,085.00
TOTAL TDA # 50208000		75,635.00
TOTAL ON CONTRACT		145,810.00
TOTAL TDA		95,060.00
TOTAL MEASURE I		50,750.00
TOTAL ON CONTRACT		145,810.00

DISCUSSION ITEMS

-
- San Bernardino County Transportation Commission ■ San Bernardino County Transportation Authority
■ San Bernardino County Congestion Management Agency ■ Service Authority for Freeway Emergencies
-

Minute Action

AGENDA ITEM: 25

Date: July 11, 2007

Subject: Position Equity Adjustments and Reclassifications

*Recommendation:** Approve equity adjustments and reclassifications for specified positions.

Background: This item has been placed on the agenda in anticipation of consideration of position equity adjustments and reclassifications.

Financial Impact: The financial impact of this item is unknown at this time.

Reviewed By: This item has been under consideration by the SANBAG Administrative Committee.

Responsible Staff: Tony Grasso, Executive Director

*

Approved
Board of Directors

Date: _____

Moved:

Second:

In Favor:

Opposed:

Abstained:

Witnessed: _____

-
- San Bernardino County Transportation Commission ■ San Bernardino County Transportation Authority
 - San Bernardino County Congestion Management Agency ■ Service Authority for Freeway Emergencies
-

Minute Action

AGENDA ITEM: 26

Date: July 11, 2007

Subject: Federal Update by Steve Palmer and Pat Holtz

Recommendation:* Receive Report

Background: Steve Palmer and Pat Holtz of Van Scoyoc Associates, Inc., SANBAG's advocate in Washington, D.C., will be providing an update on transportation issues currently being discussed on Capitol Hill. Topics to be discussed include the appropriations process, the SAFTEA-LU technical corrections bill and other issues related to transportation.

Financial Impact: Funding to support the State and Federal Legislative Program is included within the adopted SANBAG FY07-08 Budget.

Reviewed By: This item has had no prior policy committee review.

Responsible Staff: Jennifer Franco, Director of Intergovernmental and Legislative Affairs

Approved
Board of Directors

Date: _____

Moved: _____ *Second:* _____

In Favor: _____ *Opposed:* _____ *Abstained:* _____

Witnessed: _____

- San Bernardino County Transportation Commission ■ San Bernardino County Transportation Authority
■ San Bernardino County Congestion Management Agency ■ Service Authority for Freeway Emergencies

Minute Action

AGENDA ITEM: 27

Date: July 11, 2007

Subject: Trade Corridor Improvement Fund (TCIF) Update

Recommendation:* Receive report.

Background: Staff will update the committee on the TCIF Working Group meeting No. 4 and conversations with key legislators involved in formulation of the legislative framework for the program.

The California Transportation Commission held the fourth Trade Corridor Working Group meeting on June 15, 2007. This meeting continued discussion on the framework of the bond investment. The Inland Empire Legislative Caucus met on June 13, 2007 to talk with SANBAG, RCTC and the railroads, about the Colton Crossing's role in the TCIF portion of Proposition 1B.

The guiding principles the SANBAG Board adopted in May 2007 have been shared with our legislators and they strongly suggest that SANBAG continue discussion on the projects that are important to this region and reach a consensus on our priorities.

The Southern California region is engaged in developing a systems approach to project priorities and a framework for meeting the intent of the TCIF. Considering the recent dialog regarding the four major corridors in California and the need for collaborative work in the corridors, this activity may be the most effectiveness endeavor.

*

Approved
Board of Directors

Date: _____

Moved:

Second:

In Favor:

Opposed:

Abstained:

Witnessed: _____

Financial Impact: This item has no immediate impact.

Reviewed By: This item was reviewed by the Plans and Programs Policy Committee on June 20, 2007. *(Meeting chaired by Mayor Eaton)*

Responsible Staff: Ty Schuiling, Director of Planning and Programming
Tony Grasso, Executive Director

- San Bernardino County Transportation Commission ■ San Bernardino County Transportation Authority
■ San Bernardino County Congestion Management Agency ■ Service Authority for Freeway Emergencies

Minute Action

AGENDA ITEM: 28

Date: July 11, 2007

Subject: Continuing Cooperative Agreement No. 07-019-S1, (SANBAG Contract No. C08-015) with the Southern California Association of Governments (SCAG) for Management of Federal Metropolitan Planning (OWP) Funds.

Recommendation:* Approve SANBAG Contract C08-015, Continuing Cooperative Agreement (SCAG No. 07-019-S1), with SCAG to address use of SCAG Overall Work Program (OWP) funding of the RivSan Transportation Model Improvement Program, the San Bernardino County 2% Compass Implementation Project, and studies of logistics industry warehousing and intermodal facility capacity, demand, and siting in the amount of \$500,000, and in-kind match totaling \$39,516 for a total of \$539,516.

Background: The Continuing Cooperative Agreement with SCAG is a year-to-year legal instrument for the management of OWP funds that can remain unchanged except for scopes of work and annual funding amounts. This represents the basic funding agreement between SCAG and SANBAG for Fiscal Year 2007-2008.

The RivSan Model Improvement Program is entering the final phase of a multi-year effort to upgrade the subregional model.

*

Approved
Board of Directors

Date: _____

Moved: _____ *Second:* _____

In Favor: _____ *Opposed:* _____ *Abstained:* _____

Witnessed: _____

brd0707e-ty.doc
Attachment: Scope of Work
2020800
4090800

The Compass 2% project is the second year of a study conducted in cooperation with SCAG and local governments within San Bernardino County pursuant to a Scope of Work that was reviewed and unanimously approved by the SANBAG Board of Directors in July 2006. This agreement serves as the instrument by which funds are conveyed for that project.

Work supported by OWP funds will also include a consultant-supported analysis of intermodal capacity needs and siting issues in the SANBAG region, and an analysis of industrial & warehousing supply and demand. Better information on these aspects of the logistics industry is needed to support better freight movement planning by SANBAG and the region.

Financial Impact: The Overall Work Program funds made available to SANBAG through this amendment to SCAG Agreement No. 05-012 supplement funds budgeted in Task 20208000, 40908000, and 11108000. The OWP funds identified for these efforts will support consultant contracts administered by SCAG and do not flow through or otherwise affect the SANBAG budget. The SANBAG in-kind contributions are consistent with the above tasks in the approved Fiscal Year 2007-2008 SANBAG Budget.

Reviewed By: This item was unavailable for previous policy committee review and is presented directly to the Board because of the time-sensitivity of consultant procurement. Legal Counsel has reviewed the agreement.

Responsible Staff: Ty Schuiling, Director of Planning and Programming

SANBAG Contract No. C08-015

by and between

San Bernardino Associated Governments

and

Southern California Association of Governments

for

Management of Federal Metropolitan Planning (OWP) Funds**FOR ACCOUNTING PURPOSES ONLY**

<input type="checkbox"/> Payable	Vendor Contract # <u>07-019-S-1</u>	Retention:	<input checked="" type="checkbox"/> Original
<input type="checkbox"/> Receivable	Vendor ID <u>SCAG</u>	<input type="checkbox"/> Yes ____ % <input checked="" type="checkbox"/> No	<input type="checkbox"/> Amendment

Notes: This agreement serves as the commitment to provide in-kind local match for these projects through SANBAG staff time.

Original Contract:	\$ <u>0</u>	Previous Amendments Total:	\$ ____
Contingency Amount:	\$ ____	Previous Amendments Contingency Total:	\$ ____
		Current Amendment:	\$ ____
		Current Amendment Contingency:	\$ ____

Contingency Amount requires specific authorization by Task Manager prior to release.

Contract TOTAL → \$ 0

↓ Please include funding allocation for the original contract or the amendment.

<u>Task</u>	<u>Cost Code</u>	<u>Funding Sources</u>	<u>Grant ID</u>	<u>Amounts</u>
<u>20208000</u>	<u>5011</u>	<u>In-Kind</u>	____	\$ <u>0</u>
<u>11208000</u>	<u>5011</u>	<u>In-Kind</u>	____	\$ <u>0</u>
<u>11108000</u>	<u>5011</u>	<u>In-Kind</u>	____	\$ <u>0</u>
_____	_____	_____	_____	\$ ____

Original Board Approved Contract Date: 12/1/04 Contract Start: 7/1/07 Contract End: 6/30/08
 New Amend. Approval (Board) Date: _____ Amend. Start: _____ Amend. End: _____

If this is a multi-year contract/amendment, please allocate budget authority among approved budget authority and future fiscal year(s)-unbudgeted obligations:

Approved Budget Authority →	Fiscal Year: <u>07/08</u>	Future Fiscal Year(s) – Unbudgeted Obligation →	\$ ____
	\$ <u>0</u>		

Is this consistent with the adopted budget? ☒ Yes ☐ No
 If yes, which Task includes budget authority? 20208000, 11208000, 11108000
 If no, has the budget amendment been submitted? ☐ Yes ☐ No

CONTRACT MANAGEMENT

Please mark an "X" next to all that apply:

☒ Intergovernmental ☐ Private ☐ Non-Local ☐ Local ☐ Partly Local
 Disadvantaged Business Enterprise: ☐ No ☐ Yes ____ %

Task Manager: **Ty Schuiling** Contract Manager: **Ty Schuiling**

Task Manager Signature _____ Date 6/27/07
 Chief Financial Officer Signature _____ Date _____

Contract Manager Signature _____ Date _____

Filename:

Form 28 06/06

EXHIBIT A

Subregional Scope of Work

San Bernardino Associated of Governments

**Subregional Staff
Scope of Work & Budget**

08-070.SBGS2
RivSan Model Improvement – SANBAG
FY 07-08

Budget

Line Item	Funded Amount	In-kind Match
Labor	\$55,000	\$7,126
Printing		
Other (describe)		
Total Budget	\$55,000	\$7,126

Objectives:

The objective of this project is to develop a new RivSan Model based on SCAG's new subregional modeling methodology and SANBAG's recently completed model inputs. This new model will take advantage of recent model improvements incorporated into SCAG's new regional model and also include additional capabilities with the introduction of the new TransCad Modeling software.

San Bernardino Associated Governments (SANBAG) will provide an additional \$7,126 in work to account for the 11.47% in-kind match required for this project.

The grant-funded and in-kind work to be performed is outlined below:

Scope

- Review/update all model inputs including zones, socio-economic data and networks
 - SANBAG will review densified zone system and corresponding SED and provide to SCAG
 - SANBAG will review networks and provide markup of networks to SCAG
 - SANBAG will coordinate reviews of this information with local jurisdictions
- Apply the new Subregional Modeling methodology to the inland area
 - SANBAG will review and provide input to process undertaken by SCAG/consultant
- Perform a model validation to insure the Model is performing properly
 - SANBAG will assemble screenline traffic counts and provide to SCAG/consultant
 - SANBAG will review and comment on model validation results
- Produce a final report and user
 - SANBAG will review and comment on draft and final reports
 - SANBAG will coordinate review of products by participating local jurisdictions

**San Bernardino Associated Governments
Subregional Scope of Work**

07-065.SBGC1
2% Compass Strategy – SANBAG
FY 07-08

Description of In-Kind Match for SCAG Consultant Projects

San Bernardino Associated Governments (SANBAG) will provide technical assistance to account for the 11.47% in-kind match required for this project. The in-kind match shall be \$25,264:
 $\$195,000 \text{ (Consultant Budget)} \div 88.53\% \text{ (Federal Allocation)} \times 11.47\% \text{ (Required Match)}$

Technical assistance shall be provided through the following work tasks:

Work Tasks	Budget
Host and facilitate meetings of the project task force meetings.	\$2,526
Provide consultant assistance with the one-to-one stakeholder interviews and stakeholder workshops	\$2,526
Provide quarterly progress reports to SCAG.	\$1,263
Review and comment on all deliverables for the project	\$6,316
Assist consultant in making necessary presentations to SANBAG Plans and Programs Policy Committee and the SANBAG Board of Directors for project approval	\$1,263
Provide existing land use data to consultant for opportunity areas.	\$1,263
Provide vacant land use data to consultant for opportunity areas.	\$1,263
Provide base maps of opportunity areas to consultant.	\$2,526
Provide aerial photograph of opportunity areas to consultant.	\$1,263
Review TAZ-level socio-economic data produced by consultant for opportunity areas.	\$5,055
Total	\$25,264

**San Bernardino Associated Governments
Subregional Scope of Work**

08-130.SBGC1

Analysis of Intermodal Capacity Needs and Siting Issues in the SANBAG Region
FY 07-08

Description of In-Kind Match for SCAG Consultant Projects

San Bernardino Associated Governments (SANBAG) will provide technical assistance to account for the 11.47% in-kind match required for this project. The in-kind match shall be \$19,434:
 $\$150,000 \text{ (Consultant Budget)} \div 88.53\% \text{ (Federal Allocation)} \times 11.47\% \text{ (Required Match)}$

Technical assistance shall be provided through the following work tasks:

Work Tasks	Budget
Coordinate with SCAG, regional agencies, and the private sector to prepare a consultant scope of work and, with SCAG, coordinate the consultant selection process	\$1,943
Provide input to location of intermodal yards and coordinate contacts	\$972
Review working papers documenting intermodal yard characteristics	\$972
Review working papers on future demand and ability to accommodate the demand	\$972
Work with agency partners and the private sector to identify strategies for accommodating demand in intermodal lifts	\$3,887
Review working papers on the strategies and their potential impacts	\$972
Coordinate with activities occurring under the goods movement partnership agreement, including the identification of additional east-west capacity	\$1,943
Work with other agencies and the private sector to identify sites that will promote operational efficiency and minimize impacts	\$2,915
Review working papers on the actions	\$1,943
Review and comment on the final report and coordinate reviews with participating agencies	\$2,915
Total	\$19,434

**San Bernardino Associated Governments
Subregional Scope of Work**

08-130.SBGC2
Industrial & Warehousing Supply Demand Analysis
FY 07-08

Description of In-Kind Match for SCAG Consultant Projects

San Bernardino Associated Governments (SANBAG) will provide technical assistance to account for the 11.47% in-kind match required for this project. The in-kind match shall be \$12,956:
 $\$100,000 \text{ (Consultant Budget)} \div 88.53\% \text{ (Federal Allocation)} \times 11.47\% \text{ (Required Match)}$

Technical assistance shall be provided through the following work tasks:

Work Tasks	Budget
Coordinate with SCAG, regional agencies, and the private sector to prepare a consultant scope of work and, with SCAG, coordinate the consultant selection process	1,296
Work with SCAG and the consultant to provide GIS coverages for existing land use throughout the region	1,942
Work with SCAG and the consultant to provide GIS coverages for vacant land and General Plan land use throughout the region	1,296
Review working papers on potential demand for industrial/warehousing facilities	648
Review working papers on trends in the logistics industry and their effect on demand	1,296
Coordinate development and review of scenarios for distribution of industrial/warehousing facilities	1,942
Review working papers on analysis of scenarios	1,296
Coordinate development of "most likely" scenario	648
Review working papers on analysis of impact of scenarios	1,296
Review reports documenting actions that should be taken to accommodate growth while minimizing impact	1,296
Total	12,956

EXHIBIT B

Subregional Budget

Subregional Budget

Southern California Association of Governments
Fiscal Year 2007-2008 Subregional Budget
Subregion: **SAN BERNARDINO ASSOCIATED GOVERNMENTS**

CHART 1 - Subregional Staff Projects

WBS	Program Name	Description	SCAG Project Manager	Federal			In-Kind			Cash		
				Amount	Match	Total	Amount	Match	Total	Amount	Match	Total
08-070.SBGS2	RivSan Model Improvement - SANBAG	Modeling	M. Ainsworth	55,000				7,126		0		62,126
										0		
		Total Subregional Staff		\$55,000			\$7,126			\$0		\$62,126

CHART 2 - SCAG Consultant Projects

WBS	Program Name	Description	SCAG Project Manager	Federal			In-Kind			Cash		
				Amount	Match	Total	Amount	Match	Total	Amount	Match	Total
07-065.SBGC1	2% Compass Strategy-SBG	Compass 2% Strategy	P. Hidisyan	195,000						216,000		411,000
08-130.SBGC1	Analysis of Intermodal Cap. Needs and Siting Issues in the SANBAG region	Goods Movement	A. Nam	150,000			19,434			0		169,434
08-130.SBGC2	Industrial & Warehousing Supply Demand Analysis	Goods Movement	A. Nam	\$100,000			\$12,956			\$0		112,956
		Total Subregional Consultant		\$445,000			\$32,390			\$216,000		\$693,390

Grand Totals:

Amount	In-Kind Match	Cash Match	Total
\$500,000	\$39,516	\$216,000	\$755,516

-
- San Bernardino County Transportation Commission ■ San Bernardino County Transportation Authority
 - San Bernardino County Congestion Management Agency ■ Service Authority for Freeway Emergencies
-

Minute Action

AGENDA ITEM: 29

Date: July 11, 2007

Subject: Award Construction Contract No. C07174 to Riverside Construction for Live Oak Canyon/Interstate 10 Interchange

*Recommendation:** Award Contract No. C07174 to Riverside Construction for the Live Oak Canyon/Interstate 10 Interchange in the amount of \$11,889,620 as described in the financial impact section below. TN 84308000

Background: This is a new contract awarded based on the competitive low bid process, as such conflict of interest is not applicable. SANBAG opened bids for the Live Oak Canyon Road/Interstate 10 Interchange reconstruction on June 28, 2007. This project includes the construction of a new five lane wide bridge over Interstate 10, on/off ramp realignment and signalization. The engineer's estimate is \$11.4 million. With supplemental items and contingency the total project is estimated at \$12.65 million. The projects is fully funded through a variety of sources including Traffic Congestion Relief Program (TCRP), developer fees, and the City of Yucaipa which has advanced City funds to be repaid from Measure I 2010-2040.

SANBAG received seven (7) bids from prime contractors ranging from a low of \$10,640,564 to a high of \$13,999,198. Please see Exhibit "A" for a list of the contractors and bid amount. The low bid was submitted by Riverside Construction and does not include supplemental and contingency costs.

Approved
Board of Directors

Date: July 11, 2007

Moved: Second:

In Favor: Opposed: Abstained:

Witnessed: _____

The total award amount of \$11,889,620 includes the bid items, supplemental funds and contingency funds. A breakdown of these costs is included as Exhibit "B". This amount is approximately \$750,000 or just under 7% under the Engineer's Estimate for the cost of the project.

As of the preparation of this agenda item, SANBAG staff was reviewing the bid documents submitted by Riverside Construction to ensure "responsiveness" and after preliminary review all paperwork looks to be in order. If necessary, staff will provide supplemental information related to "responsiveness" to the Board at the Meeting of July 11, 2007.

Financial Impact: This item is consistent with the approved FY 2007/08 Budget. This project is funded from State Traffic Congestion Relief Program (TCRP) and by City of Yucaipa with reimbursement from Measure I 2010-2014 Valley Interchange Funds TN 84308000.

Reviewed By: This item has not received prior policy committee review beyond being authorized to proceed directly to Board for contract award by the Major Projects Committee on June 14, 2007. (*Meeting Chaired by John Pomierski*)

Responsible Staff: Darren Kettle, Director of Freeway Construction

SANBAG Contract No. C07174

by and between

San Bernardino County Transportation Authority

and

Riverside Construction Company Inc.

for

LIVE OAK CANYON ROAD / I-10 INTERCHANGE PROJECT

FOR ACCOUNTING PURPOSES ONLY

<input checked="" type="checkbox"/> Payable	Vendor Contract # _____	Retention:	<input checked="" type="checkbox"/> Original
<input type="checkbox"/> Receivable	Vendor ID _____	<input checked="" type="checkbox"/> Yes <u>10</u> % <input type="checkbox"/> No	<input type="checkbox"/> Amendment

Notes:

Original Contract: \$ <u>10,640,564</u>	Previous Amendments Total: \$ _____
Contingency Amount: \$ <u>1,249,056</u>	Previous Amendments Contingency Total: \$ _____
	Current Amendment: \$ _____
	Current Amendment Contingency: \$ _____

Contingency Amount requires specific authorization by Task Manager prior to release.

Contract TOTAL → \$ 11,889,620

↓ Please include funding allocation for the original contract or the amendment.

Task	Cost Code	Funding Sources	Grant ID	Amounts
8430800	5554	TCRP	0138	\$ <u>7,552,000</u>
8430800	5554	City of Yucaipa	0638	\$ <u>4,337,620</u>
_____	_____	_____	_____	\$ _____
_____	_____	_____	_____	\$ _____

Original Board Approved Contract Date: <u>7/11/07</u>	Contract Start: <u>07/11/07</u>	Contract End: <u>2/28/09</u>
New Amend. Approval (Board) Date: _____	Amend. Start: _____	Amend. End: _____

If this is a multi-year contract/amendment, please allocate budget authority among approved budget authority and future fiscal year(s)-unbudgeted obligations:

Approved Budget Authority →	Fiscal Year: <u>07/08</u> \$ <u>9,000,000</u>	Future Fiscal Year(s) – Unbudgeted Obligation →	\$ <u>2,889,620</u>
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Is this consistent with the adopted budget? ☒ Yes ☐ No

If yes, which Task includes budget authority? 0843

If no, has the budget amendment been submitted? ☐ Yes ☐ No

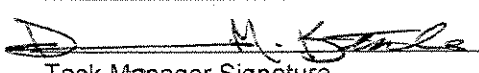
CONTRACT MANAGEMENT

Please mark an "X" next to all that apply:

☐ Intergovernmental ☒ Private ☐ Non-Local ☐ Local ☐ Partly Local

Disadvantaged Business Enterprise: ☒ No ☐ Yes _____%

Task Manager: Darren Kettle	Contract Manager: Gary Shippy
------------------------------------	--------------------------------------

 6-28-07
Task Manager Signature Date

 6/28/07
Contract Manager Signature Date

 6/28/07
Chief Financial Officer Signature Date

Filename:

**San Bernardino County Transportation Authority
I-10/Live Oak Canyon Road Interchange Project
In The City Of Yucaipa, California
Bridge and Highway Construction
Contract No.: C07174
Bid Opening: June 28, 2007**

THIS AGREEMENT, made and concluded, in duplicate, July 11, 2007 between the San Bernardino County Transportation Authority (referred to hereinafter as "AUTHORITY"), and

Riverside Construction Company Inc. (referred to hereinafter as "Contractor").

ARTICLE I.---WITNESSETH, That for and in consideration of the payments and agreements hereinafter mentioned, to be made and performed by AUTHORITY, and under the conditions expressed in the Performance Bond and Payment Bond, bearing even date with these present, and hereunto annexed, the said Contractor agrees with AUTHORITY, at the Contractor's own proper cost and expense, to do all the work and furnish all the materials, except such as are mentioned in the specifications to be furnished by AUTHORITY, necessary to construct and complete in a good, workmanlike and substantial manner and to the satisfaction of AUTHORITY, the work described in the special provisions and the project plans described below, including any addenda thereto, and also in accordance with Caltrans Department of Transportation Standard Plans, dated July 2004, the Standard Specifications, dated July 1999 and all related updates, and the Labor Surcharge and Equipment Rental Rates in effect on the date the work is accomplished, which said project plans, Standard Plans, Standard Specifications, and Labor Surcharge and Equipment Rental Rates are hereby specially referred to and by such reference made a part hereof.

The Proposal and Contract (dated May 21, 2007), Special Provisions (dated May 21, 2007) and on project plans (dated May 21, 2007) for the work are entitled:

**CONSTRUCTION OF
I-10/LIVE OAK CANYON ROAD INTERCHANGE PROJECT
IN THE CITY OF YUCAIPA, CALIFORNIA
BRIDGE AND HIGHWAY CONSTRUCTION**

ARTICLE II.---AUTHORITY hereby promises and agrees with the said Contractor to employ, and does hereby employ, the said Contractor to provide materials to do the work according to the terms and conditions herein contained and referred to, for the prices hereinafter set forth, and hereby contracts to pay the same at the time, in the manner and upon the conditions herein set forth; and the said parties for themselves, their heirs, executors, administrators, successors and assigns, do hereby agree to the full performance of the covenants herein contained.

ARTICLE III.---The State general prevailing wage rates most current edition at the date of the bid opening are hereby made a part of this contract. It is further expressly agreed by and between the parties hereto that should there be any conflict between the terms of this instrument and the bid or proposal of said Contractor, then this instrument shall control and nothing herein shall be considered as an acceptance of the said terms of said proposal conflicting herewith.

ARTICLE IV.---By my signature hereunder, as Contractor, I certify that I am aware of the provisions of Section 3700 of the Labor Code which require every employer to be insured against liability for worker's compensation or to undertake self insurance in accordance with the provisions of that code, and I will comply with such provisions before commencing the performance of the work of this contract.

ARTICLE V.--- Contractor agrees to receive and accept the following prices as full compensation for (1) furnishing all materials and for doing all the work contemplated and embraced in this agreement; (2) all loss or damage, arising out of the nature of the work aforesaid, or from the action of the elements, or from any unforeseen difficulties or obstructions which may arise or be encountered in the prosecution of the work until its acceptance by AUTHORITY, and for all risks of every description connected with the work; (3) all expenses incurred by or in consequence of the suspension or discontinuance of work and; (4) well and faithfully completing the work, and the whole thereof, in the manner and according to the plans and specifications, and the requirements of the Engineer under them, to wit:

ITEM NO.	S/F	ITEM CODE	ITEM DESCRIPTION	UNIT	QTY	UNIT PRICE	TOTAL ITEM
1		070012	PROGRESS SCHEDULE (CRITICAL PATH METHOD)	LS	1	19,000 ⁰⁰	19,000 ⁰⁰
2		071322	TEMPORARY FENCE (Type CL-1.3)	M	245	25 ⁰⁰	6,125 ⁰⁰
3		071325	TEMPORARY FENCE (Type ESA)	M	275	15 ⁰⁰	4,125 ⁰⁰
4		074019	PREPARE STORM WATER POLLUTION PREVENTION PLAN	LS	1	12,000 ⁰⁰	12,000 ⁰⁰
5		074016	CONSTRUCTION SITE MANAGEMENT	LS	1	500,000 ⁰⁰	500,000 ⁰⁰
6		074027	TEMPORARY EROSION CONTROL BLANKET	M ²	11270	3 ⁰⁰	33,810 ⁰⁰
7		074028	TEMPORARY FIBER ROLL	M	2700	6 ⁰⁰	16,200 ⁰⁰
8		074029	TEMPORARY SILT FENCE	M	2500	15 ⁰⁰	37,500 ⁰⁰
9		074032	TEMPORARY CONCRETE WASHOUT FACILITY	EA	3	2,500 ⁰⁰	7,500 ⁰⁰
10		074033	TEMPORARY CONSTRUCTION ENTRANCE	EA	4	2,500 ⁰⁰	10,000 ⁰⁰
11		074038	TEMPORARY DRAINAGE INLET PROTECTION	EA	16	500 ⁰⁰	8,000 ⁰⁰
12		074041	STREET SWEEPING	LS	1	75,000 ⁰⁰	75,000 ⁰⁰
13	S	120090	CONSTRUCTION AREA SIGNS	LS	1	50,000 ⁰⁰	50,000 ⁰⁰
14	S	120100	TRAFFIC CONTROL SYSTEM	LS	1	250,000 ⁰⁰	250,000 ⁰⁰
15		120149	TEMPORARY PAVEMENT MARKING (PAINT)	M2	200	25 ⁰⁰	5,000 ⁰⁰
16	S	120159	TEMPORARY TRAFFIC STRIPE (PAINT)	M	8300	1 ⁰⁰	9,960 ⁰⁰
17		120300	TEMPORARY PAVEMENT MARKER	EA	452	10 ⁰⁰	4,520 ⁰⁰
18	S	128650	PORTABLE CHANGEABLE MESSAGE SIGN	LS	1	50,000 ⁰⁰	50,000 ⁰⁰
19	S	129000	TEMPORARY RAILING (TYPE K)	M	3380	32 ⁰⁰	108,160 ⁰⁰
20	S	129100	TEMPORARY CRASH CUSHION MODULE	EA	205	225 ⁰⁰	46,125 ⁰⁰
21	S	129150	TEMPORARY TRAFFIC SCREEN	M	3380	7 ⁰⁰	23,660 ⁰⁰
22		150206	ABANDON CULVERT	M	24	45 ⁰⁰	1,080 ⁰⁰
23		150305	OBLITERATE SURFACING	M ²	7600	3 ⁰⁰	22,800 ⁰⁰
24		150606	REMOVE FENCE (TYPE BW)	M	360	9 ⁰⁰	3,240 ⁰⁰
25		150608	REMOVE CHAIN LINK FENCE	M	210	15 ⁰⁰	3,150 ⁰⁰
26		150662	REMOVE METAL BEAM GUARD RAILING	M	360	45 ⁰⁰	16,200 ⁰⁰
27		150701	REMOVE YELLOW PAINTED TRAFFIC STRIPE	M	240	5 ⁰⁰	1,200 ⁰⁰
28		150710	REMOVE TRAFFIC STRIPE	M	2572	2 ⁰⁰	5,144 ⁰⁰
29		150715	REMOVE THERMOPLASTIC PAVEMENT MARKING	M2	68	30 ⁰⁰	2,040 ⁰⁰
30		150722	REMOVE PAVEMENT MARKER	EA	612	2 ⁰⁰	1,224 ⁰⁰
31		150767	REMOVE BRIDGE MOUNTED SIGN	EA	1	1,500 ⁰⁰	1,500 ⁰⁰
32		150805	REMOVE CULVERT	M	15	90 ⁰⁰	1,350 ⁰⁰
33		150820	REMOVE INLET	EA	2	750 ⁰⁰	1,500 ⁰⁰

SCHEDULE A - BID LIST
May 25, 2007

ITEM NO.	S/F	ITEM CODE	ITEM DESCRIPTION	UNIT	QTY	UNIT PRICE	TOTAL ITEM
34		150821	REMOVE HEADWALL	EA	6	500 ⁰⁰	3,000 ⁰⁰
35		150823	REMOVE DOWN DRAIN	EA	1	650 ⁰⁰	650 ⁰⁰
36		150859	REMOVE ASPHALT CONCRETE OVERSIDE DRAIN	EA	6	100 ⁰⁰	600 ⁰⁰
37		150860	REMOVE BASE AND SURFACING	M3	13	200 ⁰⁰	2,600 ⁰⁰
38		151270	SALVAGE METAL BRIDGE RAILING	M	160	50 ⁰⁰	8,000 ⁰⁰
39		152390	REMOVE ROADSIDE SIGN (WOOD POST)	EA	10	100 ⁰⁰	1,000 ⁰⁰
40		152392	RELOCATE ROADSIDE SIGN (WOOD POST)	EA	34	250 ⁰⁰	8,500 ⁰⁰
41	S	153154	COLD PLANE ASPHALT CONCRETE PAVEMENT (60 MM MAXIMUM)	M2	820	10 ⁰⁰	8,200 ⁰⁰
42		153155	COLD PLANE ASPHALT CONCRETE PAVEMENT (75 MM MAXIMUM)	M2	498	15 ⁰⁰	7,470 ⁰⁰
43		153214	REMOVE CONCRETE CURB	M	60	10 ⁰⁰	600 ⁰⁰
44		153215	REMOVE CONCRETE (CURB & GUTTER)	M	920	10 ⁰⁰	9,200 ⁰⁰
45		153218	REMOVE CONCRETE SIDEWALK	M3	50	35 ⁰⁰	1,750 ⁰⁰
46		153220	REMOVE CONCRETE (CHANNEL)	M3	54	42 ⁰⁰	2,268 ⁰⁰
47		155003	CAP INLET	EA	1	1,000 ⁰⁰	1,000 ⁰⁰
48		157750	BRIDGE REMOVAL	LS	1	250,000 ⁰⁰	250,000 ⁰⁰
49		170101	DEVELOP WATER SUPPLY	LS	1	50,000 ⁰⁰	50,000 ⁰⁰
50		190101	ROADWAY EXCAVATION	M3	26290	10 ⁰⁰	262,900 ⁰⁰
51		190103	ROADWAY EXCAVATION (TYPE Y) (AERIAL DEPOSITED LEAD)	M3	2380	15 ⁰⁰	35,700 ⁰⁰
52		190110	LEAD COMPLIANCE PLAN	LS	1	5,000 ⁰⁰	5,000 ⁰⁰
53	F	192003	STRUCTURE EXCAVATION (BRIDGE)	M3	1120	25 ⁰⁰	28,000 ⁰⁰
54	F	192037	STRUCTURE EXCAVATION (RETAINING WALL)	M3	170	25 ⁰⁰	4,250 ⁰⁰
55		192051	STRUCTURE EXCAVATION (TYPE Y) (AERIAL DEPOSITED LEAD)	M3	380	15 ⁰⁰	5,700 ⁰⁰
56	F	193003	STRUCTURE BACKFILL (BRIDGE)	M3	716	125 ⁰⁰	89,500 ⁰⁰
57	F	193013	STRUCTURE BACKFILL (RETAINING WALL)	M3	170	50 ⁰⁰	8,500 ⁰⁰
58	F	193031	PERVIOUS BACKFILL MATERIAL (RETAINING WALL)	M3	3.3	350 ⁰⁰	1,155 ⁰⁰
59		198001	IMPORTED BORROW	M3	78300	8 ⁰⁰	626,400 ⁰⁰
60		200114	ROCK BLANKET	M2	6200	80 ⁰⁰	496,000 ⁰⁰
61	S	203001	EROSION CONTROL (BLANKET)	M2	400	7 ⁰⁰	2,800 ⁰⁰
62	S	203026	MOVE-IN/MOVE OUT (EROSION CONTROL)	EA	2	500 ⁰⁰	1,000 ⁰⁰
63		208733	300 MM CORRUGATED HIGH DENSITY POLYETHYLENE PIPE	M	140	110 ⁰⁰	15,400 ⁰⁰
64		250201	CLASS 2 AGGREGATE SUBBASE	M3	3000	110 ⁰⁰	330,000 ⁰⁰
65		260201	CLASS 2 AGGREGATE BASE	M3	5350	68 ⁰⁰	363,800 ⁰⁰
66		280000	LEAN CONCRETE BASE	M3	560	230 ⁰⁰	128,800 ⁰⁰
67		390102	ASPHALT CONCRETE (TYPE A)	TONNE	10420	80 ⁰⁰	833,600 ⁰⁰



111 MAIN ST.
P. O. BOX 1146
RIVERSIDE, CA 92502
SCHEDULE A - BID LIST
May 25, 2007

Contract No. C07174

ITEM NO.	S/F	ITEM CODE	ITEM DESCRIPTION	UNIT	QTY	UNIT PRICE	TOTAL ITEM
58		394002	PLACE ASPHALT CONCRETE (MISCELLANEOUS AREA)	M2	22	450 ⁰⁰	9,900 ⁰⁰
69		394040	PLACE ASPHALT CONCRETE DIKE (TYPE A)	M	150	7 ⁰⁰	1,050 ⁰⁰
70		394044	PLACE ASPHALT CONCRETE DIKE (TYPE C)	M	22	7 ⁰⁰	154 ⁰⁰
71		394048	PLACE ASPHALT CONCRETE DIKE (TYPE E)	M	1010	7 ⁰⁰	7,070 ⁰⁰
72		394049	PLACE ASPHALT CONCRETE DIKE (TYPE F)	M	11	7 ⁰⁰	77 ⁰⁰
73		401000	CONCRETE PAVEMENT	M3	1070	285 ⁰⁰	304,950 ⁰⁰
74		404092	SEAL PAVEMENT JOINT	M	730	15 ⁰⁰	10,950 ⁰⁰
75		404094	SEAL LONGITUDINAL ISOLATION JOINT	M	480	15 ⁰⁰	7,200 ⁰⁰
76	S	490380	TEMPORARY SHORING	LS	1	410,000 ⁰⁰	410,000 ⁰⁰
77		490696	FURNISH CONCRETE PILING (CLASS 900)	M	1180	120 ⁰⁰	141,600 ⁰⁰
78	S	490697	DRIVE PILING (CLASS 900)	EA	64	1,700 ⁰⁰	108,800 ⁰⁰
79		490753	FURNISH PILING (CLASS 625)	M	2260	90 ⁰⁰	203,400 ⁰⁰
80	S	490754	DRIVE PILING (CLASS 625)	EA	111	1,700 ⁰⁰	188,700 ⁰⁰
81		491007	FURNISH PILING (CLASS 400)	M	158	90 ⁰⁰	14,220 ⁰⁰
82	S	491008	DRIVE PILING (CLASS 400)	EA	9	1,700 ⁰⁰	15,300 ⁰⁰
83		500001	PRESTRESSING CAST-IN-PLACE CONCRETE	LS	1	100,000 ⁰⁰	100,000 ⁰⁰
84	F	510051	STRUCTURAL CONCRETE, BRIDGE FOOTING	M3	265	500 ⁰⁰	132,500 ⁰⁰
85	F	510053	STRUCTURAL CONCRETE, BRIDGE	M3	1555	835 ⁰⁰	1,298,425 ⁰⁰
86	S-F	510060	STRUCTURAL CONCRETE, RETAINING WALL	M3	85	850 ⁰⁰	72,250 ⁰⁰
87	F	510085	STRUCTURAL CONCRETE, APPROACH SLAB (TYPE EQ)	M3	32	1,000 ⁰⁰	32,000 ⁰⁰
88	S-F	510502	MINOR CONCRETE (MINOR STRUCTURE)	M3	48	2,500 ⁰⁰	120,000 ⁰⁰
89		591144	JOINT SEAL (MR 50 MM)	M	57	350 ⁰⁰	19,950 ⁰⁰
90	S-F	520102	BAR REINFORCING STEEL (BRIDGE)	KG	246400	2 ⁰⁰	492,800 ⁰⁰
91	S-F	520103	BAR REINFORCING STEEL (RETAINING WALL)	KG	4200	3 ⁰⁰	12,600 ⁰⁰
92	S-F	560203	FURNISH SIGN STRUCTURE (BRIDGE MOUNTED W/ WALKWAY)	KG	449	15 ⁰⁰	6,735 ⁰⁰
93	S-F	560204	INSTALL SIGN STRUCTURE (BRIDGE MOUNTED W/ WALKWAY)	KG	449	3 ⁰⁰	1,347 ⁰⁰
94	F	560218	FURNISH SIGN STRUCTURE (BRIDGE)	KG	820	10 ⁰⁰	8,200 ⁰⁰
95	F	560219	INSTALL SIGN STRUCTURE (BRIDGE)	KG	820	2 ⁰⁰	1,640 ⁰⁰
96		560235	FURNISH LAMINATED PANEL SIGN (25.4" - TYPE B)	M2	14	250 ⁰⁰	3,500 ⁰⁰
97		566011	ROADSIDE SIGN - ONE POST	EA	16	350 ⁰⁰	5,600 ⁰⁰
98		566012	ROADSIDE SIGN - TWO POST	EA	2	1,500 ⁰⁰	3,000 ⁰⁰
99		650069	450 MM RCP	M	290	350 ⁰⁰	101,500 ⁰⁰
100		650075	600 MM RCP	M	120	400 ⁰⁰	48,000 ⁰⁰
101		650077	750 MM RCP	M	70	450 ⁰⁰	31,500 ⁰⁰
102		650079	900 MM RCP	M	120	495 ⁰⁰	59,400 ⁰⁰

SCHEDULE A - BID LIST
May 25, 2007

ITEM NO.	S/F	ITEM CODE	ITEM DESCRIPTION	UNIT	QTY	UNIT PRICE	TOTAL ITEM
103		650084	1200 MM RCP	M	4	625 ⁰⁰	2,500 ⁰⁰
104		664015	450 MM CORRUGATED STEEL PIPE (2.01 MM THICK)	M	120	350 ⁰⁰	42,000 ⁰⁰
105		703283	900 MM BITUMINOUS COATED CSP RISER (2.01 MM THICK)	EA	1	10,000 ⁰⁰	10,000 ⁰⁰
106	F	703450	WELDED STEEL PIPE CASING (BRIDGE)	M	12	680 ⁰⁰	8,160 ⁰⁰
107		705044	450 MM STEEL FLARED END SECTION	EA	6	250 ⁰⁰	1,500 ⁰⁰
108		705224	600 MM CONCRETE FLARED END SECTION	EA	1	1,500 ⁰⁰	1,500 ⁰⁰
109		721011	ROCK SLOPE PROTECTION (BACKING NO. 1, METHOD B)	M3	67	175 ⁰⁰	11,725 ⁰⁰
110		721810	SLOPE PAVING (CONCRETE)	M3	51	700 ⁰⁰	35,700 ⁰⁰
111		729010	ROCK SLOPE PROTECTION FABRIC	M2	120	15 ⁰⁰	1,800 ⁰⁰
112		731504	MINOR CONCRETE (CURB AND GUTTER)	M3	140	450 ⁰⁰	63,000 ⁰⁰
113		731507	MINOR CONCRETE (GUTTER DEPRESSION)	M3	11	450 ⁰⁰	4,950 ⁰⁰
114	F	731517	MINOR CONCRETE (GUTTER)	M	71	70 ⁰⁰	4,970 ⁰⁰
115		731521	MINOR CONCRETE (SIDEWALK)	M3	240	380 ⁰⁰	91,200 ⁰⁰
116		731623	MINOR CONCRETE (CURB RAMP)	M3	10	380 ⁰⁰	3,800 ⁰⁰
117	S-F	750001	MISCELLANEOUS IRON & STEEL	KG	4400	5 ⁰⁰	22,000 ⁰⁰
118	S-F	750501	MISCELLANEOUS METAL (BRIDGE)	KG	172	15 ⁰⁰	2,580 ⁰⁰
119	S-F	800007	FENCE (TYPE BW, 5 STRAND, METAL POST)	M	320	34 ⁰⁰	10,880 ⁰⁰
120	S-F	800391	CHAIN LINK FENCE (TYPE CL-1.8)	M	210	62 ⁰⁰	13,020 ⁰⁰
121		820107	DELINEATOR (CLASS 1)	EA	31	35 ⁰⁰	1,085 ⁰⁰
122	S	832001	METAL BEAM GUARD RAILING	M	220	95 ⁰⁰	20,900 ⁰⁰
123	F	833000	METAL RAILING	M	158	435 ⁰⁰	68,730 ⁰⁰
124	F	833088	TUBULAR HAND RAILING	M	34	225 ⁰⁰	7,650 ⁰⁰
125	F	833142	CONCRETE BARRIER (TYPE 26 MODIFIED)	M	158	700 ⁰⁰	110,600 ⁰⁰
126	F	833143	CONCRETE BARRIER (TYPE 26A MODIFIED)	M	28	1,000 ⁰⁰	28,000 ⁰⁰
127	F	839521	CABLE RAILING	M	71	50 ⁰⁰	3,550 ⁰⁰
128	S	839541	TRANSITION RAILING (TYPE WB)	EA	2	3,000 ⁰⁰	6,000 ⁰⁰
129	S	839581	END ANCHOR ASSEMBLY (TYPE SFT)	EA	1	650 ⁰⁰	650 ⁰⁰
130	S	839585	ALTERNATIVE FLARED TERMINAL SYSTEM	EA	2	3,000 ⁰⁰	6,000 ⁰⁰
131	S	840515	THERMOPLASTIC PAVEMENT MARKING	M2	260	50 ⁰⁰	13,000 ⁰⁰
132	S	840561	100 mm THERMOPLASTIC TRAFFIC STRIPE	M	160	2 ⁰⁰	320 ⁰⁰
133	S	840563	200 mm THERMOPLASTIC TRAFFIC STRIPE	M	1000	3 ⁰⁰	3,000 ⁰⁰
134	S	840656	PAINT TRAFFIC STRIPE (2-COAT)	M	7200	1 ⁰⁰	7,200 ⁰⁰
135	S	850101	PAVEMENT MARKER (NON-REFLECTIVE)	EA	174	5 ⁰⁰	870 ⁰⁰
136	S	850102	PAVEMENT MARKER (REFLECTIVE)	EA	595	10 ⁰⁰	5,950 ⁰⁰
137	S	860460	LIGHTING AND SIGN ILLUMINATION	LS	1	80,000 ⁰⁰	80,000 ⁰⁰



RIVERSIDE CONSTRUCTION CO

111 MAIN ST.

P. O. BOX 1146

Contract No. C07174

RIVERSIDE, CA 92502

SCHEDULE A - BID LIST

May 25, 2007

ITEM NO.	S/F	ITEM CODE	ITEM DESCRIPTION	UNIT	QTY	UNIT PRICE	TOTAL ITEM
138	S	860703	INTERCONNECTION CONDUIT AND CABLE	LS	1	20,000 ⁰⁰	20,000 ⁰⁰
139	S	861491	SIGNAL AND LIGHTING (I-10 EB Ramps/Live Oak Canyon Road)	LS	1	90,000 ⁰⁰	90,000 ⁰⁰
140	S	861492	SIGNAL AND LIGHTING (I-10 WB Ramps/Live Oak Canyon Road)	LS	1	100,000 ⁰⁰	100,000 ⁰⁰
141	S	861493	SIGNAL AND LIGHTING (Oak Glen/Calimesa)	LS	1	50,000 ⁰⁰	50,000 ⁰⁰
142	S	869101	RAMP METERING SYSTEM (I-10 WB On-Ramp)	LS	1	10,000 ⁰⁰	10,000 ⁰⁰
143		999990	MOBILIZATION	LS	1	780,000 ⁰⁰	780,000 ⁰⁰
SCHEDULE A TOTAL							10,640,564 ⁰⁰

ARTICLE VI.---The undersigned agrees to complete the work within the time period as stipulated in Section 4 of the special provisions.

ARTICLE VII.---The undersigned hereby certifies that he is currently the holder of a valid license as a contractor in the State of California and that the license is the correct class of license for the work described in the project plans and specifications.

ARTICLE VIII

Indemnification - The Contractor agrees to indemnify, defend and hold harmless AUTHORITY, the State of California, Fluor Corporation, City of Yucaipa, and their authorized offices, employees, agents and volunteers from any and all claims, actions, losses, damages, and/or liability arising out of this contract from any cause whatsoever, including the acts errors or omissions of any person and for any costs or expenses incurred by AUTHORITY, the State of California, Fluor Corporation, City of Yucaipa, and their authorized officers, employees, agents and volunteers on account of any claim therefore, except where such indemnification is prohibited by law.

ARTICLE IX

Insurance - Without in anyway affecting the indemnity herein provided and in addition thereto the Contractor shall, at the Contractor's expense, procure and maintain insurance on all of its operations with companies acceptable to AUTHORITY as follows. All insurance shall be kept in full force and effect from the beginning of the work through final acceptance by AUTHORITY. In addition, the Contractor shall maintain completed operations coverage with a carrier acceptable to AUTHORITY through the expiration of the patent deficiency in construction statute of repose set forth in Section 337.1 of the Code of Civil Procedure. The policies shall be written by a California admitted carrier with a Best's rating of B++ or better.

Workers' Compensation and Employer's Liability Insurance - Workers' Compensation insurance shall be provided in an amount and form to meet all applicable requirements of the Labor Code of the State of California. Employer's Liability Insurance shall be provided in amounts not less than:

- (a) \$1,000,000 for each accident for bodily injury by accident.
- (b) \$1,000,000 policy limit for bodily injury by disease.
- (c) \$1,000,000 for each employee for bodily injury by disease.

Liability Insurance - The Contractor shall carry General Liability and Umbrella or Excess Liability Insurance covering all operations by or on behalf of the Contractor providing insurance for bodily injury liability, and property damage liability for the limits of liability indicated below and including coverage for:

- (a) premises, operations and mobile equipment.
- (b) products and completed operations.
- (c) broad form property damage (including completed operations).
- (d) explosion, collapse and underground hazards.
- (e) personal injury.
- (f) contractual liability.

Liability Limits/Additional Insureds - The limits of liability shall be at least:

- (a) \$1,000,000 for each occurrence (combined single limit for bodily injury and property damage).
- (b) \$2,000,000 aggregate for products-completed operations.
- (c) \$2,000,000 general aggregate. This general aggregate limit shall apply separately to the Contractor's work under this Agreement.
- (d) \$5,000,000 umbrella or excess liability. For projects over \$25,000,000 only, an additional \$10,000,000 umbrella or excess liability (for a total of \$15,000,000). Umbrella or excess policy shall include products liability completed operations coverage and may be subject to \$5,000,000 or \$15,000,000 aggregate limits. Further, the umbrella or excess policy shall contain a clause stating that it takes effect (drops down) in the event the primary limits are impaired or exhausted.

AUTHORITY, the State of California, Fluor Corporation, City of Yucaipa, and their authorized officers, employees, agents and volunteers, shall be named as additional insureds under the General Liability and Umbrella Liability

Policies with respect to liability arising out of or connected with work or operations performed by or on behalf of the Contractor under this contract. Coverage for such additional insureds shall not extend to liability:

- (1) arising from any defective or substandard condition of the Roadway which existed at or prior to the time the Contractor commenced work, unless such condition has been changed by the work or scope of the work requires the Contractor to maintain existing Roadway facilities and the claim arises from the Contractor's failure to maintain; or
- (2) for claims occurring after the work is completed and accepted unless these claims are directly related to alleged acts or omissions of the Contractor which occurred during the course of the work; or
- (3) to the extent prohibited by Section 11580.04 of the Insurance Code.

The policy shall stipulate that the insurance afforded the additional insureds shall apply as primary insurance. Any other insurance or self insurance maintained by AUTHORITY will be excess only and shall not be called upon to contribute with this insurance. Such additional insured coverage shall be provided by a policy provision or by an endorsement providing coverage at least as broad as Additional Insured (Form B) endorsement form CG 2010, as published by the Insurance Services Office (ISO).

Automotive Liability Insurance – The Contractor shall carry automobile liability insurance, including coverage for all owned, hired and non-owned automobiles. The primary limits of liability shall not be less than \$1,000,000 combined single limit each accident for bodily injury and property damage. The umbrella or excess liability coverage required under Article IX "Liability Limits/Additional Insureds," shall also apply to automobile liability.

Waiver of Subrogation Rights - Contractor shall require the carriers of the above required coverages to waive all rights of subrogation against AUTHORITY, the State of California, Fluor Corporation, City of Yucaipa, and their authorized officers, employees, agents and volunteers, contractors and subcontractors.

Policy Forms, Endorsements and Certificates – The Contractor's General Liability Insurance shall be provided under Commercial General Liability policy form No. CG0001 as published by the Insurance Services Office (ISO) or under a policy form at least as broad as policy form No. CG0001.

Evidence of insurance in a form acceptable to AUTHORITY, including the required "additional insured" endorsements, shall be furnished by the Contractor to AUTHORITY at or prior to the pre-construction conference. The evidence of insurance shall provide that there will be no cancellation, lapse, or reduction of coverage without thirty (30) days' prior written notice to AUTHORITY. Certificates of Insurance, as evidence of required insurance, for the General Liability, Auto Liability and Umbrella-Excess Liability policies shall set forth deductible amounts applicable to each policy and all exclusions which are added by endorsement to each policy. AUTHORITY may expressly allow deductible clauses, which it does not consider excessive, overly broad, or harmful to interests of AUTHORITY. Standard ISO form No. CG0001 or similar exclusions will be allowed provided they are not inconsistent with the requirements of this section. Allowance of any additional exclusions is at the discretion of AUTHORITY. Regardless of the allowance of exclusions or deductions by AUTHORITY, the Contractor shall be responsible for any deductible amount and shall warrant that the coverage provided to AUTHORITY is consistent with the requirements of this section.

Enforcement – AUTHORITY may take any steps as are necessary to assure Contractor's compliance with its obligations. Should any insurance policy lapse or be canceled during the contract period the Contractor shall, within thirty (30) days prior to the effective expiration or cancellation date, furnish AUTHORITY with evidence of renewal or replacement of the policy. Failure to continuously maintain insurance coverage as herein provided is a material breach of contract. In the event the Contractor fails to maintain any insurance coverage required, AUTHORITY may, but is not required to, maintain this coverage and charge the expense to the Contractor or terminate this Agreement. The required insurance shall be subject to the approval of AUTHORITY, but any acceptance of insurance certificates by AUTHORITY shall in no way limit or relieve the Contractor of the Contractor's duties and responsibilities under the Contract to indemnify, defend and hold harmless AUTHORITY, the State of California, Fluor Corporation, City of Yucaipa, and their authorized officers, employees, agents and volunteers. Insurance coverage in the minimum amounts set forth herein shall not be construed to relieve the Contractor for liability in excess of such coverage, nor shall it preclude AUTHORITY from taking other actions as is available to it under any other provision of the contract or law. Failure of AUTHORITY to enforce in a timely manner any of the provisions of this section shall not act as a waiver to enforcement of any of these provisions at a later date.

Miscellaneous – Nothing contained in the Contract is intended to make the public or any member thereof a third party beneficiary of the Insurance or Indemnity provisions of the Contract, nor is any term, condition or other provision of the Contract intended to establish a standard of care owed to the public or any member thereof.

ARTICLE X.---The undersigned agrees to furnish AUTHORITY with a satisfactory Payment Bond in an amount equal to one hundred percent (100%) of the contract amount and a Performance Bond in an amount equal to one hundred percent (100%) of the contract amount. These bonds shall be secured from a surety company or companies satisfactory to AUTHORITY and shall remain in force and effect for a period of one year following the date of filing of Notice of Completion.

ARTICLE XI.---If any legal action is instituted to enforce or declare any party's rights hereunder, each party, including the prevailing party, must bear its own costs and attorneys' fees. This paragraph shall not apply to those costs and attorneys' fees directly arising from any third party legal action against a party hereto and payable under Article VIII, Indemnification.

ARTICLE XII.---The parties acknowledge and agree that this Agreement was entered into and intended to be performed in whole or substantial part in San Bernardino County, California. The parties agree that the venue for any action or claim brought by any party to this Agreement will be the Central District of San Bernardino County. Each party hereby waives any law or rule of court, which would allow them to request or demand a change of venue. If any action or claim concerning this Agreement is brought by any third party, the parties hereto agree to use their best efforts to obtain a change of venue to the Central District of San Bernardino County.

IN WITNESS THEREOF, the parties hereto have caused this contract to be executed on the day and year first above written.

San Bernardino
County Transportation Authority

Contractor

By: _____
Lawrence Dale
President, SANBAG Board of Directors

By: _____

Date: _____

Date: _____

Approved as to Form and Procedure:

Licensed in accordance with an act providing for
registration of contractors:

By: _____
Jean-Rene Basle
SANBAG Counsel

License Number

Date: _____

Federal Employer Identification Numb

Exhibit A Contract C07174
Live Oak Canyon Road / I-10 Interchange Project

Submitted Bids:

<u>Contractor</u>	<u>Bid Amount</u>	
1 Ortiz	\$11,757,784.50	
2 Balfour Beatty	\$13,999,198.10	
3 Beador	\$11,558,300.00	
4 Griffith	\$13,184,889.15	
5 Skanska	\$11,289,000.00	
6 Riverside	\$10,640,564.00	Low Bid
7 MCM	\$10,870,007.00	

**Exhibit B Contract C07174
Live Oak Canyon Road / I-10 Interchange Project**

Base Bid	\$10,640,564.00
Base Contingency - 10%	\$1,064,056.00
Supplemental	
ADDITIONAL TRAFFIC CONTROL	\$15,000.00
MAINTAIN TRAFFIC	\$15,000.00
WATER POLLUTION CONTROL MAINT. SHARING	\$12,000.00
ADDITIONAL WATER POLLUTION CONTROL	\$20,000.00
STORM WATER SAMPLING AND ANALYSIS	\$8,000.00
COMPENSATION ADJUSTMENTS FOR AC PRICE FLUCT.	\$50,000.00
PARTNERING	\$10,000.00
VALUE ANALYSIS	\$10,000.00
DISPUTE REVIEW	\$15,000.00
BRIDGE REMOVAL FOR FOOTINGS LARGER THAN SHOWN ON AS BUILT	\$20,000.00
SUPPLYING BORROW MATERIAL	<u>\$10,000.00</u>
	\$185,000.00
Total Contingency Plus Supplemental	\$1,249,056.00
Bid Plus Total Contingency	\$11,889,620.00

- San Bernardino County Transportation Commission ■ San Bernardino County Transportation Authority
■ San Bernardino County Congestion Management Agency ■ Service Authority for Freeway Emergencies

Minute Action

AGENDA ITEM: 30

Date: July 11, 2007

Subject: Local Transportation Fund (LTF) Interim Transit Allocations

Recommendation:* Approve the Interim Allocation of LTF Article 4 Operating funds to the Morongo Basin Transit Authority (MBTA) and the Mountain Area Regional Transit Authority (MARTA) and of LTF Article 8c Operating funds to the Cities of Barstow and Needles and the Victor Valley Transit Authority (VVTa).

Background: The Fiscal Years 2008 – 2012 Short Range Transit Plans (SRTP) for the following transit operators: the Cities Barstow and Needles and MBTA, MARTA and VVTa, are in various stages of completion. These planning and programming documents provide the necessary descriptions and justifications of transit operating and capital projects sponsored by the transit systems. Approval of the SRTPs must be completed prior to SANBAG programming the transit projects in the Regional Transportation Improvement Program (RTIP) and processing their Transit Claims for LTF and State Transit Assistance funding. It is anticipated that the SRTPs will be completed by mid-July and submitted to the SANBAG Board for approval in August.

The intent of the interim allocations is to provide sufficient operating funds to the operators until their plans have been approved and Transit Claims received. The interim allocations are for operating funds only and represent a quarter (1/4) of the prior year LTF operating allocation.

*

Approved
Board of Directors

Date: _____

Moved: _____ *Second:* _____

In Favor: _____ *Opposed:* _____ *Abstained:* _____

Witnessed: _____

The interim allocations are listed below:

Operator	LTF Article 4	LTF Article 8c
City of Barstow		\$372,102
MBTA	\$344,037	
MARTA	\$385,565	
City of Needles	\$40,551	
VVTA		\$980,596

Financial Impact: This item is consistent with the 2007/2008 Budget. Administration of LTF is consistent with the approved 2007/2008 Budget, Task 50208000.

Reviewed By: This item has not been reviewed by a SANBAG policy committee, however it is viewed as ministerial in nature.

Responsible Staff: Victoria Baker, Senior Transit Analyst

AGENCY REPORTS



-
- San Bernardino County Transportation Commission ■ San Bernardino County Transportation Authority
 - San Bernardino County Congestion Management Agency ■ Service Authority for Freeway Emergencies
-

JULY COMMUTER RAIL REPORT

1. PATRONAGE

San Bernardino Line:

Ridership on the San Bernardino Line decreased slightly (<2%) compared to both last month and to the same month last year. Preliminary June data is about the same as May with a current average of 12,144 passenger trips per weekday.

San Bernardino Line Saturday service was up 6% from last month but down 9% from May 2006. June data-to-date shows a drop in patronage with a current average of 3,491 passenger trips per Saturday.

Sunday ridership increased a notable 19% from last month but was down almost 8% from the same month last year. At this point, June 2007 is a bit lower, currently averaging 2,008 passenger trips per Sunday.

Riverside-Ontario-Los Angeles Line:

May average daily ridership on the Riverside Line increased 6% from April and set a new ridership record for this line. The new record is almost 6% higher than the previous record of November 2006. A preview look at June shows a slight dip in patronage, but still strong with a current average of 5,172 passenger trips per weekday.

Inland Empire-Orange County (IEOC) Line:

Ridership on the IEOC Line was up slightly (<1%) from last month to continue a seven-month string of average daily ridership above 4,700 passenger trips. The May average was, in fact, the second highest daily average ever for this line. As of mid-June, average daily ridership is somewhat slower, yet still strong with a current average of 4,748 passenger trips per weekday.

Total System:

Systemwide, average daily ridership posted a new ridership record this month. The new high average is 1% higher than the previous record (March 2007) and 1% higher than last month. At this point, June ridership continues at close-to-record pace with a current average of 43,463 passenger trips per weekday.

Table 1

Average Weekday Daily Ridership*

	<u>San Bernardino</u>	<u>Riverside</u>	<u>IEOC</u>	<u>Systemwide</u>
May 2007	12,105	5,301	4,813	43,477
May 2006	12,328	4,768	4,477	42,764
% Change	- 1.8%	+ 11.2%	+ 7.5%	+ 1.7%

* Adjusted for Holidays

Table 2

Average Weekend Ridership

	<u>San Bernardino</u> <u>Saturday</u>	<u>San Bernardino</u> <u>Sunday</u>
May 2007	3,828	2,169
May 2006	4,222	2,351
% Change	- 9.3%	- 7.7%

2. ON-TIME PERFORMANCE (arrival within 5 minutes of scheduled time)

San Bernardino Line:

On-time performance results for the San Bernardino Line were mixed this month compared to last month. Outbound trains gained one percentage point and inbound trains dropped one percentage point to finish May 97% and 98% on time, respectively. "Other" operations issues caused thirteen of the twenty-one reported delays.

Riverside-Ontario-Los Angeles Line:

On-time performance for the Riverside Line worsened slightly in May compared to April. Both inbound and outbound trains dropped one percentage point to finish the month 98% and 97% on time, respectively. Again, "other" operations issues caused the majority of the seven reported delays.

Inland Empire-Orange County (IEOC) Line:

On-time performance improved for the IEOC Line this month. While northbound trains held steady at 93% on time, southbound trains picked up five percentage points, from 92% on time in April to 97% on time in May. Thirty percent of the twenty reported delays were caused by Metrolink operations and another twenty percent were caused by mechanical difficulties.

Table 3

On Time Performance

Percent of weekday trains arriving within 5 min. of scheduled time
(May 2007 vs. May 2006)

	<u>San Bernardino</u>		<u>Riverside</u>		<u>IEOC</u>	
	In	Out	In	Out	So.	No.
May 2007	98%	97%	98%	97%	97%	93%
May 2006	96%	94%	94%	91%	96%	93%



South Coast Air Quality Management District

21865 Copley Drive, Diamond Bar, CA 91765-4178
(909) 396-2000 • www.aqmd.gov

Members of the Governing Board:

Chairman
Dr. William A. Burke
Speaker of the Assembly
Appointee

Vice Chairman
S. Roy Wilson, Ed.D.
Supervisor, Fourth District
County of Riverside

Michael D. Antonovich
Supervisor, Fifth District
County of Los Angeles

Bill Campbell
Supervisor, Third District
County of Orange

Jane W. Carney
Senate Rules Appointee

Ronald O. Loveridge
Mayor, Riverside
Cities of Riverside County

Gary C. Ovitt
Supervisor, Fourth District
County of San Bernardino

Jan Perry
Councilmember, 9th District
Cities Representative
Los Angeles County/Western Region

Miguel A. Pulido
Mayor, Santa Ana
Cities of Orange County

Tonia Reyes Uranga
Councilmember, City of Long Beach
Cities of Los Angeles County/
Eastern Region

Dennis R. Yates
Mayor, Chino
Cities of San Bernardino County

Vacant
Governor's Appointee

June 6, 2007

To: Mayors and Councilmembers

From: **Dennis R. Yates, Mayor/City of Chino**
Board Member, South Coast AQMD
representing Cities of San Bernardino County

D. Yates

Attached are the agenda items and the voting outcome of the June 1, 2007 AQMD Governing Board meeting.

PUBLIC HEARING ITEMS APPROVED AT JUNE 1, 2007 BOARD MEETING

Adopt 2007 Air Quality Management Plan (AQMP) for South Coast Air Quality Management District and Certify Final Program Environmental Impact Report *(Item continued from May 4, 2007 Board Meeting)*

The 2007 AQMP is designed to demonstrate achievement of the new federal annual average air quality standard for fine particulates (PM_{2.5}) and the eight-hour average standard for ozone or summertime smog. These air quality standards are to be met in 2015 and 2024, respectively. The highest priority for further pollution control is mobile source-related emissions, since 80% of the pollution problem in the South Coast comes from cars, trucks, ships, trains, off-road engines and other mobile sources. AQMD has proposed that state and federal agencies more aggressively address pollution from these sources. The Southern California Association of Governments staff also proposed truck-only lanes and electric rail for inclusion in the AQMP. However, these measures were not included in the AQMP's emission reduction strategy at this time and are going to receive further review at the area Councils of Governments (CVAG, SANBAG, SCAG, WRCOG) before any formal consideration by AQMD's Board for inclusion in the AQMP. In addition, there has been considerable media attention regarding a pollution control measure in the AQMP related to wood burning fireplaces. This measure is part of the AQMP at the request of the state Air Resources Board. AQMD Board Members have expressed concern

regarding the potential scope of future requirements for fireplaces and want a logical set of workable provisions. Many months of further study are expected before a proposed rule will be brought to the AQMD Governing Board for consideration, including numerous public workshops. The state Air Resources Board will consider approval of the South Coast 2007 AQMP at its June 21st and 22nd meeting in Los Angeles, at the Los Angeles Airport Marriott. Please attend if your schedule permits.

Majority Vote: 9 yes, 0 no, 2 absent

Amend Rule 219 – Equipment Not Requiring a Written Permit Pursuant to Regulation II
(Item continued from May 4, 2007 Board Meeting)

This proposal will exempt certain underground methane gas collection systems in and around residential buildings from permitting requirements; harmonize the exemption levels applicable to ultra violet and electron beam curable materials and other coating, ink and adhesive application operations in an equitable manner; provide for a simplified alternative permitting process for ultra-low emission rate operations as well as for certain currently exempt operations that emit four tons or more of VOCs per year; and, include other minor clarifications. (Review: Stationary Source Committee, March 23, 2007 and May 25, 2007)

Majority Vote: 8 yes, 0 no, 3 absent

Amend Rule 1173 – Control of Volatile Organic Compound Leaks and Releases from Components at Petroleum Facilities and Chemical Plants

The proposed amendments will require enhanced monitoring and reporting of releases from pressure relief devices and other amendments for clarity and enforceability, including clarifying the applicability of facilities subject to the rule. (Review: Stationary Source Committee, May 25, 2007)

Majority Vote: 8 yes, 0 no, 3 absent

Amend Rule 1470 – Requirements for Stationary Diesel-fueled Internal Combustion and Other Compression Ignition Engines

Rule 1470 was adopted by the Board on April 2, 2004 and implements CARB's Airborne Toxic Control Measure for Stationary Compression Ignition Engines. Proposed amendments will allow use of new Tier II engines for direct-drive fire pumps to allow manufacturers additional time to complete safety certifications for Tier III engines. Other amendments are proposed to improve the clarity of Rule 1470 and consistency with the AQMD's Best Available Control Technology requirements for new engines enrolled in demand response programs.

Majority Vote: 8 yes, 0 no, 3 absent

PUBLIC HEARINGS SET FOR JULY 13, 2007 BOARD MEETING

Amend Rule 1113 – Architectural Coatings

The proposed amendments to Rule 1113 – Architectural Coatings amend the definition of metallic pigmented coatings to remove reference to mica to be consistent with the federal architectural coating rule, update the test method used to determine the weight percent of elemental metal in metallic coatings to reflect current practice, and delete obsolete language. (Review: Stationary Source Committee, May 25, 2007)

Amend Rule 1309.1 – Priority Reserve and Re-Adopt Rule 1315 – Federal New Source Review Tracking System

The proposed amendments to Rule 1309.1 are to replace the amendments adopted on September 8, 2006 and in addition, establish air quality and economic criteria for the purchase of emission offset credits from the Priority Reserve by electrical generating facilities based on the location of the project. The proposal for Rule 1315 is to re-adopt the rule adopted on September 8, 2006. (Review: Stationary Source Committee, May 25, 2007)

ADDITIONAL INFORMATION

APPOINTING/ELECTING AUTHORITY	REGIONAL COUNCIL (12:00 noon)	POLICY COMMITTEES (RC Members Serve on One Each) (Subregional Appointments) (County Commissions Appoint One to TCC) (10:00 a.m.)		
		Community, Economic, and Human Development	Energy and Environment	Transportation and Communications
District 6 (Grand Terrace, Colton, Loma Linda, Redlands, Yucaipa)	L. Garcia			L. Garcia
District 7 (San Bernardino, Highland)	L. McCallon			
District 8 (Rialto, Fontana)	D. Robertson			
District 9 (Rancho Cucamonga, Upland, Montclair)	P. Eaton		P. Eaton	
District 10 (Chino, Chino Hills, Ontario)	A. Wapner			A. Wapner
District 11 (Bartow, Big Bear, Needles, Twentynine Palms, Yucca Valley)	L. Dale			L. Dale
District 65 (Adelanto, Apple Valley, Hesperia, Victorville)	T. Jasper			
San Bernardino County	G. Ovitt			G. Ovitt
SANBAG Subregional Appointees*		K. Chastain	J. Harrison	M. Nuaimi
*One appointee to each policy committee for a total of three appointees per subregion, plus one additional appointee for every SCAG District over three in the subregion. SANBAG has a total of seven subregional appointees to the policy committees.		Vacant (D. Williams) Vacant (L. McCallon)	P. Liburn	Vacant (G. George)

Rules of Appointment

1. SANBAG policy stipulates that all SANBAG appointees be SANBAG Board Members.
2. SCAG President appoints Regional Council members to Standing and Policy Committees.

Terms of Appointment

Terms of appointment for Regional Council members representing odd numbered districts expire immediately following the SCAG General Assembly in April of odd numbered years. Terms of appointment for Regional Council members representing even numbered districts expire immediately following the SCAG General Assembly in May of even numbered years. SANBAG appointments to SCAG Policy Committees are for a term from May through the next regular SCAG general assembly of the following year.

Stipend

SCAG provides Regional Council members \$100 per day for a maximum of four meetings per month, plus mileage. A stipend for the fifth meeting per month may be received on approval by SCAG's Executive Director. SCAG also provides subregional appointees representing SANBAG on SCAG Policy Committees \$70 per meeting.

Meeting Information

The regular meetings of SCAG Regional Council, Standing Committees, and Policy Committees are on the first Thursday of each month at the SCAG Offices located at 818 W. Seventh Street, Los Angeles:

Policy Committees

Community, Economic, and Human Development: Provides policy recommendations to the Regional Council on subjects of housing, land use, resource, economic, community development, infrastructure, employment, and regional disaster preparedness issues. Reviews and recommends to the Planning Committee revisions to the Housing, Economy, Growth Management, Human Resources, and Finance Chapters of the Regional Comprehensive Plan and Guide.

Energy and Environment: Acts as the policy advisory committee to the Regional Council on environmental issues, including air and water, hazardous, solid waste management, natural resources conservation, and energy conservation. Reviews the Environmental Impact Report of the Regional Comprehensive Plan and Guide. Provides recommendations to the Planning Committee on state and federal legislative proposals and administrative guidelines affecting environmental quality, resource conservation, **Transportation and Communications:** Acts as the policy advisory committee to the Regional Council on all regional matters pertaining to the movement of goods and people on land, water, and air. Reviews and recommends to the Regional Council all major utility development plans. Addresses the location, size, or capacity, timing, and impact of facilities.

SANBAG Policy Committee Membership

June 21, 2007

Page 1 of 3

COMMITTEE	PURPOSE	MEMBERSHIP	TERMS
Administrative Committee SANBAG President, Vice President, and Immediate Past President 3 East Valley (2 City, 1 County) 3 West Valley (2 City, 1 County) 3 Mt/Desert (2 City, 1 County) City members shall be SANBAG Board Members elected by caucus of city SANBAG Board Members within the subarea. Supervisors collectively select their representatives. The SANBAG Vice President shall serve as Chair of the Administrative Committee.	Makes recommendations to Board of Directors and: (1) Provides general policy oversight which spans the multiple program responsibilities of the organization and maintains the comprehensive organization integrity; (2) Provides policy direction with respect to administrative issues, policies, budget, finance, audit, and personnel issues for the organization; (3) Serves as policy review committee for any program area that lacks active policy committee oversight. Committee has authority to approve contracts of up to \$25,000 with Board of Directors ratification to follow.	Gary Ovitt, Supervisor, Vice President (Chair) Lawrence Dale, Barstow, President (Vice Chair) Dennis Hansberger, Supervisor, Past President Paul Biane, Supervisor Robert Christman, Loma Linda Kevin Cole, Twentynine Palms Bea Cortes, Grand Terrace Paul Eaton, Montclair Josie Gonzales, Supervisor Brad Mitzelfelt, Supervisor Gwenn Norton-Perry, Chino Hills Rick Roelle, Apple Valley	6/30/2008 6/30/2008 6/30/2008 12/31/2008 12/31/2007 12/31/2008 12/31/2008 12/31/2008 12/31/2007 12/31/2007 12/31/2007 12/31/2007 12/31/2007
Commuter Rail Committee Nine Valley-elected officials, four of who shall be the Southern California Regional Rail Authority primary (*) and alternate (**) members. The terms of appointments for SCRRA members and alternates shall be concurrent with their term on SCRRA. The four remaining members shall be SANBAG Board Members appointed by the SANBAG President for two-year terms.	Provides policy guidance and recommendations to the SANBAG Board of Directors and Southern California Regional Rail Authority delegates with respect to commuter rail service in San Bernardino County. * SCRRA Primary Member ** SCRRA Alternate Member	Pat Gilbreath, Redlands (Chair)** Kelly Chastain, Colton Robert Christman, Loma Linda Bea Cortes, Grand Terrace Paul Eaton, Montclair * Pat Morris, San Bernardino* Diane Williams, Rancho Cucamonga** Paul Leon, Ontario Larry McCallon	Indeterminate (6/30/2007) 12/31/2007 12/31/2007 12/31/2008 Indeterminate Indeterminate Indeterminate 12/31/2008 12/31/2008
Mountain/Desert Committee Membership consists of SANBAG Board Members from each Mountain/Desert jurisdiction and County Supervisors representing the First and Third Districts.	Provides ongoing policy level oversight related to the full array of SANBAG responsibilities as they pertain specifically to the Mountain/Desert subregion. The Committee also meets as the Mountain/Desert Measure 1 Committee as it carries out responsibilities for Measure 1 Mountain/Desert Expenditure Plan.	Rick Roelle, Apple Valley (Chair) Dennis Hansberger, Supervisor (Vice Chair) Kevin Cole, Twentynine Palms Lawrence Dale, Barstow Dennis Hansberger, Supervisor Bill Jahn, Big Bear Lake Mike Leonard, Hesperia Chad Mayes, Yucca Valley Brad Mitzelfelt, Supervisor Trinidad Perez, Adelanto Rick Roelle, Apple Valley Mike Rothschild, Victorville Rebecca Valentine, Needles	Indeterminate (6/30/2008) Indeterminate (6/30/2008) Indeterminate Indeterminate Indeterminate Indeterminate Indeterminate Indeterminate Indeterminate Indeterminate Indeterminate Indeterminate Indeterminate Indeterminate

SANBAG Policy Committee Membership

Policy Committee Meeting Times

Administrative Committee	Second Wednesday, 9:00 a.m., SANBAG Offices
Commuter Rail Committee	Third Thursday every other month following the SANBAG Board meeting (Odd Months), 12:00 noon, SANBAG Offices
Major Projects Committee	Second Thursday following the SANBAG Board meeting, 9:00 a.m., SANBAG Offices
Mountain/Desert Committee	Third Friday, 9:00 a.m., Apple Valley
Plans & Programs Committee	Third Wednesday, 1:00 p.m., SANBAG Offices

SANBAG Policy Committee Membership

June 21, 2007

SANBAG Ad Hoc Committees

COMMITTEE	PURPOSE	MEMBERSHIP
Ad Hoc Committee on Debt Financing In January 2007, the SANBAG President was authorized to appoint 3 to 5 members to this committee. In May 2007, Lawrence Dale (Barstow); Pat Gilbreath (Redlands); and Robert Christman (Loma Linda) were appointed.	Makes recommendations to the Administrative Committee on issues including, but not limited to, the size and timing of bond sales, additional bonds test, debt structure (maturities, fixed verses variable, redemption provisions), bond permitted investments, and use of hedging strategies.	Lawrence Dale, Barstow Pat Gilbreath, Redlands Robert Christman, Loma Linda
Ad Hoc Committee to Review Council of Government Roles In June 2006, the SANBAG President appointed the committee.	Reviews SANBAG activities and Board Member requests related to SANBAG's role as a Council of Governments.	Kelly Chastain, Colton (Chair) Dennis Hansberger, SBCO, representing East Valley and Mountain/Desert Josie Gonzales, SBCO, representing the East Valley John Pomierski, Upland, representing West Valley and recognizing his position as Major Projects Committee Chair Pat Morris, San Bernardino, representing the East Valley Paul Eaton, Montclair, representing the West Valley and recognizing his position as Plans & Programs Committee Chair Vacant - Jim Lindley, Hesperia, representing Mountain/Desert and recognizing his position as Mountain/Desert Committee Vice Chair.
Ad Hoc Committee on Litigation with San Bernardino County Flood Control District (Colonies Development) In January 2007, the SANBAG President was authorized to appoint an ad hoc review committee of SANBAG Board Members who do not represent local jurisdictions party to the San Bernardino County Flood Control District vs. SANBAG litigation relative to the Colonies Development	Reviews and provides guidance on litigation with San Bernardino County Flood Control District (Colonies Development).	Pat Morris, San Bernardino, Chair Mark Nuaimi, Fontana Pat Gilbreath, Redlands Richard Riddell, Yucaipa Larry McCallon, Highland

SANBAG Acronym List

1 of 2

AB	Assembly Bill
ACE	Alameda Corridor East
ACT	Association for Commuter Transportation
ADA	Americans with Disabilities Act
APTA	American Public Transportation Association
AQMP	Air Quality Management Plan
ATMIS	Advanced Transportation Management Information Systems
BAT	Barstow Area Transit
CAC	Call Answering Center
CALACT	California Association for Coordination Transportation
CALCOG	California Association of Councils of Governments
CALSAFE	California Committee for Service Authorities for Freeway Emergencies
CALTRANS	California Department of Transportation
CARB	California Air Resources Board
CEQA	California Environmental Quality Act
CHP	California Highway Patrol
CMAQ	Congestion Mitigation and Air Quality
CMP	Congestion Management Program
CNG	Compressed Natural Gas
COG	Council of Governments
CSAC	California State Association of Counties
CTA	California Transit Association
CTAA	Community Transportation Association of America
CTC	California Transportation Commission
CTC	County Transportation Commission
CTP	Comprehensive Transportation Plan
DMO	Data Management Office
DOT	Department of Transportation
E&H	Elderly and Handicapped
EIR	Environmental Impact Report
EIS	Environmental Impact Statement
EPA	United States Environmental Protection Agency
ETC	Employee Transportation Coordinator
FEIS	Final Environmental Impact Statement
FHWA	Federal Highway Administration
FSP	Freeway Service Patrol
FTA	Federal Transit Administration
FTIP	Federal Transportation Improvement Program
GFOA	Government Finance Officers Association
GIS	Geographic Information Systems
HOV	High-Occupancy Vehicle
ICMA	International City/County Management Association
ICTC	Interstate Clean Transportation Corridor
IEEP	Inland Empire Economic Partnership
ISTEA	Intermodal Surface Transportation Efficiency Act of 1991
IIP/ITIP	Interregional Transportation Improvement Program
ITS	Intelligent Transportation Systems
IVDA	Inland Valley Development Agency
JARC	Job Access Reverse Commute
LACMTA	Los Angeles County Metropolitan Transportation Authority
LNG	Liquefied Natural Gas
LTF	Local Transportation Funds
MAGLEV	Magnetic Levitation
MARTA	Mountain Area Regional Transportation Authority
MBTA	Morongo Basin Transit Authority
MDAB	Mojave Desert Air Basin
MDAQMD	Mojave Desert Air Quality Management District
MIS	Major Investment Study
MOU	Memorandum of Understanding

SANBAG Acronym List

2 of 2

MPO	Metropolitan Planning Organization
MSRC	Mobile Source Air Pollution Reduction Review Committee
MTP	Metropolitan Transportation Plan
NAT	Needles Area Transit
OA	Obligation Authority
OCTA	Orange County Transportation Authority
OWP	Overall Work Program
PA&ED	Project Approval and Environmental Document
PASTACC	Public and Specialized Transportation Advisory and Coordinating Council
PDT	Project Development Team
PPM	Planning, Programming and Monitoring Funds
PSR	Project Study Report
PTA	Public Transportation Account
PVEA	Petroleum Violation Escrow Account
RCTC	Riverside County Transportation Commission
RDA	Redevelopment Agency
RFP	Request for Proposal
RIP	Regional Improvement Program
ROD	Record of Decision
RTAC	Regional Transportation Agencies' Coalition
RTIP	Regional Transportation Improvement Program
RTP	Regional Transportation Plan
RTPA	Regional Transportation Planning Agencies
SB	Senate Bill
SAFE	Service Authority for Freeway Emergencies
SANBAG	San Bernardino Associated Governments
SCAB	South Coast Air Basin
SCAG	Southern California Association of Governments
SCAQMD	South Coast Air Quality Management District
SCRRA	Southern California Regional Rail Authority
SED	Socioeconomic Data
SHA	State Highway Account
SHOPP	State Highway Operations and Protection Program
SOV	Single-Occupant Vehicle
S RTP	Short Range Transit Plan
STAF	State Transit Assistance Funds
STIP	State Transportation Improvement Program
STP	Surface Transportation Program
TAC	Technical Advisory Committee
TCM	Transportation Control Measure
TCRP	Traffic Congestion Relief Program
TDA	Transportation Development Act
TEA	Transportation Enhancement Activities
TEA-21	Transportation Equity Act for the 21 st Century
TIA	Traffic Impact Analysis
TMC	Transportation Management Center
TMEE	Traffic Management and Environmental Enhancement
TOC	Traffic Operations Center
TOPRS	Transit Operator Performance Reporting System
TSM	Transportation Systems Management
USFWS	United States Fish and Wildlife Service
UZAs	Urbanized Areas
VCTC	Ventura County Transportation Commission
VVTA	Victor Valley Transit Authority
WRCOG	Western Riverside Council of Governments

San Bernardino Associated Governments



MISSION STATEMENT

To enhance the quality of life for all residents, San Bernardino Associated Governments (SANBAG) will:

- Improve cooperative regional planning
- Develop an accessible, efficient, multi-modal transportation system
- Strengthen economic development efforts
- Exert leadership in creative problem solving

To successfully accomplish this mission, SANBAG will foster enhanced relationships among all of its stakeholders while adding to the value of local governments.

Approved June 2, 1993
Reaffirmed March 6, 1996